II

NOMINATIONS FOR THE ELECTION OF MEMBERS TO THE PUBLIC ACCOUNTS AND FINANCE COMMITTEES.

The hon. the PRESIDENT:—"I have to announce that the following candidates have been duly nominated for election to the Public Accounts Committee and the Finance Committee, respectively :—

11-15 a.m.

Public Accounts Committee.

1. Mr. R. Nagan Gowda.
2. ,, C. Gopala Menon.
3. ,, Khadir Mohideen Sahib.
4. ,, P. J. Gnanavaram Pillai.
5. The Zamindar of Singampatti.
6. Mr. F. E. James.
7. ,, C. Venkatarangam Nayudu.
8. ,, K. Uppi Sahib.
9. ,, P. C. Venkatapati Raju.
10. Rao Bahadur S. Ellappa Chettiyar.
11. Mr. A. Parasurama Rao.

Finance Committee.

1. Mr. S. Arpudaswami Udayar.
2. ,, T. C. Srinivasa Ayyangar.
3. ,, S. N. Dorai Raja.
4. ,, H. F. P. Hearson.
5. ,, Abdul Hameed Khan.
6. ,, T. Adinarayana Chettiyar.
7. ,, P. Bhaktavatsulu Nayudu.
8. Khan Bahadur S. K. Abdul Razack Sahib.
9. Dr. B. S. Mallayya.

"As the number of candidates exceeds the number of vacancies, viz., seven and six, respectively, in each case, there will be elections by means of the single transferable vote. The election will take place between 1 and 3 p.m. to-morrow, that is the 15th."

III

MOTIONS ON THE BUDGET FOR 1929-30.

DEMAND II—EXCISE DEPARTMENT.

The hon. the PRESIDENT:—"The Council will now resume discussion on budget grants."

* Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR:—"Mr. President, when the Council rose, Sir, the last time we met, I was speaking about the propaganda work which the hon. the Minister for Excise has proposed to undertake. While we have heard a lot about proposals for propaganda work, we have heard nothing about prohibition. According to the mandate of this House, a mandate which has been repeatedly urged and supported by all sections of the House, he has to work for prohibition only. In this connexion, he quoted the example of America; but it appears to me

that he has not studied properly the history of the prohibition movement there. As I pointed out on the last occasion, the inference which he asked us to draw was that unless propaganda work progressed, prohibition could not be started. But it is unsupported by the history of the movement. As I have mentioned already, Sir, certain States had already introduced total prohibition before the amendment to the Federal Constitution was passed by the Federal Government. If we are to work on the analogy of what happened in America, it seems to me that while propaganda work might go on, there is absolutely no reason why prohibition should not be started side by side and this fact has been repeatedly urged on the floor of this House.

"Then, Sir, the proposal to do propaganda work leaving prohibition to take care of itself seems to me to be absurd. What is going to be the attitude of the Government in the Excise Department? We know what is happening. 'The Excise revenues have to be safeguarded' is the slogan. And for that purpose the Government are using all means to keep up that revenue as it is or, if possible, to increase it. How can propaganda work and the bolstering up of Excise revenue go on side by side with any degree of consistency? It seems to me that even if propaganda work is to have any result at all, the Government should have budgeted for a decrease in the Excise revenue. May I ask, Sir, whether it is proposed to issue any instructions to the subordinates and officers of the Excise Department? Will not the Excise officers be blamed if there is a decrease in revenue? We all know, Sir, that the Excise officer in whose division the revenue happens to decrease is immediately taken to task and it is no secret at all that in considering the promotions of these officers, one of the considerations is whether the revenue in that district has fallen or not. If hon. Members will watch the promotions in the Excise Department, they will find that constantly the claims of even senior officers are superseded on that ground. This happens very often and it can be proved by the Gazette notifications that these officers are promoted only if there is an improvement in revenue in the district. This is not a logical position for the Government to take—to keep a close watch on the Excise revenue on the one hand and on the other hand to talk about prohibition.

"Again, I do not know, Sir, the details of the propaganda work the Minister is going to undertake. It was once said that it was to advise people to drink in moderation and on one occasion the Minister said that he was going to tell the people not to drink at all. Well, as I said, Sir, I do not know whether the people are going to accept this advice and are not going to drink at all. It seems to me, Sir, that this is a round-about method. The obvious method of dealing with this question of the Excise evil should certainly be a frontal attack. If you employ the agency of Government to safeguard the Excise revenue, it would mean necessarily that that agency would see that drink and drug consumption does not fall. If it is not your object to safeguard the Excise revenue, you ought to deal with this question through the Excise Department. The Excise officers are there to safeguard the revenue. Will you not blame them if the revenue decreases? That is not the way to deal with this question. The only way is to work in accordance with the repeated mandates of this House, that is, to start measures for prohibition at once.

"Before proceeding further, Sir, I hope, with your permission, to read a few extracts from the speeches of some of the prominent Members of this House.

14th March 1929] [Mr. R. N. Arogyaswami Mudaliyar]

"My friend, Diwan Bahadur Krishnan Nayar, while speaking on the 16th of March 1927 said as follows :—

'We have also passed a resolution to this effect, namely, that totel prohibition should be brought about gradually and we have fixed the period at twenty years. What does that mean ? It means that within a period of twenty years the whole of this 5 crores should be wiped out and that other sources of revenue should be found out to fill up the gap. That means on an average that it is possible to decrease the Excise revenue gradually during a period of twenty years when other sources of revenue will take its place. That is the policy which we have laid down and that is the policy which we think is practicable.'

"My friend Diwan Bahadur S. Kumaraswami Reddiyar also speaking on the 16th of March 1927 said :

'We did not want the great Non-Brahman Confederation to pass the resolution ; the country had already unequivocally expressed itself and this House had declared more than once, if not unanimously, by a majority that total prohibition was their goal. And yet, we are told, Sir, that we shall move towards that goal as far as possible. It may be that he may move, but whether that move would stop somewhere or would proceed to the goal it is not stated. But that is the pronouncement we have got from the hon. the Minister for Excise. Well, Sir, if we raise this motion, if we want this cut to be made, it is to tell him that we cannot accept a policy so lame as this.'

"Again, Sir, my friend, Diwan Bahadur S. Kumaraswami Reddiyar, speaking on the 24th of August 1927 said as follows :—

'When the hon. the Third Minister who is in charge of the Excise Department had made a declaration that he was going to introduce total prohibition in two districts of this Presidency, the hon. the Chief Minister had not the courage to say "Yes or no" to it when questioned at the dinner (Dinner of the European Association). The hon. Member Mr. Wood said that the Chief Minister would have been dishonest if he had said that he was going to carry out a policy in which he did not believe.'

"I think I have already explained that when I circulated my Note on Prohibition I had the assurance—the definite promise—of Dr. Subbarayan who was then my Colleague and Mr. Ranganatha Mudaliyar who was my other Colleague—that if the policy of prohibition advocated by me was not accepted by the Government that we three of us should resign. (Hear, hear.) Well, I ask the House to judge about the action of Dr. Subbarayan.

"Then, again, Sir, Diwan Bahadur M. Krishnan Nayar spoke on 22nd October 1927 as follows :— 11-30 a.m.

'There is a considerable feeling, which my hon. Friend Mr. Arogyaswami Mudaliyar must have observed, both in this House and outside, that some earnest attempt must be made in furtherance of bringing about this much-desired goal, viz., the goal of prohibition. The hon. the Minister in charge of Excise has stated more than once in this House that he is anxious to bring about this reform, but unfortunately he does not give us any indication even remotely within which period he will attempt to reach that goal.'

"And he goes on to say :

'To wipe off this large revenue of 5 crores which is practically one-third of the total revenue of the presidency, in the course of ten years, without any substitute in its place, is, it seems to me, practically impossible. But I think, and honestly believe, that with rigid economy—not with ordinary economy—it must be possible to wipe off about 25 lakhs every year. (Mr. S. Satyamurti ; Hear, hear.) By gradually working out that process—and the country will not feel any hardship—within a period of twenty years it may be possible to wipe off the whole of this revenue. Further, within a period of 20 years it may be possible to adjust the general finances of the province and to adjust the expenditure of the different departments of the administration to the total remaining revenue. It will also be possible that within a period of twenty years, without additional taxation, additional revenue can be found owing to natural expansion of revenue.'

"And then he concludes:

'To my mind, however, there is nothing more urgent and important than this, viz., to begin an earnest attempt to bring about prohibition.'

[Mr. R. N. Arogyaswami Mudaliyar] [14th March 1929

" My friend, Mr. B. Ramachandra Reddi, speaking on 1st March 1928 said as follows :—

'It was promised on the floor of this House that the Excise policy would be given a new turn for the good of the country, it was actually accepted on the floor of the House that prohibition should be reached within the course of twenty years. But what do we find at the end of the first year? There is an excess of revenue from Excise by nearly 4 lakhs of rupees. After two years out of twenty years, the period of our goal that was put before us, we have not been going forward with the policy of prohibition ; on the other hand, we are going backward with the policy of increasing our Excise revenue.'

" Rao Bahadur B. Muniswami Nayudu spoke as follows on the 15th March 1928 :—

'For myself, Sir, speaking with responsibility and with a certain amount of feeling in the matter, I say it was possible for the Minister to have taken a step in the direction of ultimate prohibition in twenty years or twenty stages as Mr. Davis himself put it. In that case, it would have meant an extinction of revenue of about 25 lakhs of rupees annually.'

" The hon. Minister for Excise speaking on these motions passed by the House said that the House did not mean what it said. I wonder, Sir, whether he meant that hon. Members of such admitted standing as those that spoke were hypocrites. To say that hon. Members of the House who have done remarkable service to the country and whom the whole House respects, did not mean what they said, it seems to me, Sir, is an insult to this House. I could not understand the mentality of a Minister who rises up in his place and says that when these speeches were made and these motions passed by the House it did not mean what it said and that it did not mean that it is the duty of the Minister to carry out the policy of the House.

" Sir, I have already said that it was Sir A. P. Patro who started this policy of prohibition when he was Minister and therefore to him belongs the credit of making the first breach in the citadel of drink. (A voice : What is he going to do to-day ?) In his footsteps I tried to follow and I expected that with the co-operation of my then hon. Colleagues I could make a further breach in the citadel. I expected that with the support that was then promised to me by my Colleague who happens still to sit on the Treasury bench I could go forward. Those proposals were sent in circulation, but, as I already said, no orders were passed till the date on which I laid down my office. I hope, Sir, I have shown conclusively that under the circumstances I am free from blame and that it is wrong to say that I abandoned the policy of total prohibition. I charge the present Minister with having abandoned the policy of prohibition and for coming before the House to-day with a camouflage which would deceive nobody. I have already said, Sir, that it was with the assurance of support of my then hon. Colleague Dr. Subbarayan that I submitted my proposals. I ask the House to judge of the conduct of a Minister who as one of my Colleagues urged me to proceed forward, who himself drafted in his own handwriting the Statement of Objects and Reasons of the Prohibition Bill and who subsequently went back on everything. (Mr. Satyamurti : Hear, hear.) To say the least, he is guilty of an act which I can only characterise as treachery. (Mr. Satyamurti : Hear, hear.)

" About the other point urged that prohibition is a Central subject I have already dealt with it. I have proved by reading to this House the provisions of section 13-A of the Madras Abkari Act. The Madras Government—the Governor in Council—possess ample powers to start prohibition in any area they like.

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"There is only one other point I wish to touch upon before I conclude. Dr. Subbarayan in his speech in March last year said, when he was in charge of all portfolios including excise, that one of the reasons why he thought that prohibition was a reserved subject was that the amendment of the Criminal law was a reserved subject. I was unable to understand that argument, Sir, because as I said, prohibition could be introduced to-day under section 13-A of the Abkari Act and in fact Sir Patro had already started prohibition under that section when he was in office. Therefore there is absolutely nothing to prevent us going forward with the policy of total prohibition. If the Government think fit, they can introduce it any moment in any area. The existing provisions of the Abkari Act and the Criminal law are quite adequate for meeting requirements for enforcing prohibition in any area which the Government might select to-day. Therefore the argument that the Criminal law amendment being a reserved subject prohibition could not be enforced before the Criminal law is amended falls to the ground; for, as I have already explained, even under the present law the Government can introduce prohibition when and where they choose.

"In concluding, Sir, let me bring to the notice of the House prominently the way in which my former Colleague Dr. Subbarayan has behaved. I think, Sir, he was bound in honour, throughout the time when I was a Minister, to support my policy which, I had his assurance, was also his policy. Subsequently, after I had gone forward on his assurance with the proposals for prohibition, he went back. Well, what can the House expect from Ministers of this sort?

"Concerning the Second Minister, Sir, I see that he has tried to foist on me the responsibility for dropping the prohibition proposals. I have proved that I could not possibly have dropped them. If they have been dropped, it is he that is responsible. I venture to say that the House will call him to account for his action. I feel, Sir, that these Ministers, by their conduct and by the way in which they have managed these matters, have forfeited the confidence of this House and that they have no right to sit on the Treasury bench. (Mr. Satyamurti: 'Hear, hear'.) I hope, Sir, that this House will give the only verdict that is possible and turn them out of office as soon as possible. I move my cut in the excise branch and hope that all sections of the House will vote for it." (Cheers from the Swarajist benches.)

* Mr. R. Srinivasa Ayyangar:—"Sir, it was in the fitness of things that the debate on the Excise policy should have been led by the ex-Minister. It seems to me, Sir, that the present policy is heartless and absolutely indefensible. Masculating the people and getting excess revenue under Excise at all costs, seem to be writ large on the Excise policy of the Government. The speech of the hon. Mover who spoke with a certain amount of warmth, with a certain amount of authority and with a considerable knowledge of the inner workings of the department was nothing but a direct impeachment of the present Minister. It reminded me of the Impeachment of Warren Hastings by Burke. If the speech of the ex-Minister lacked the fiery and fervid eloquence and the ponderous periods of Burke, it was weighty, pointed, forcible and incisive.

"In reply to the budget discussion, the Excise Minister dealt with our criticism in a very, very sarcastic and light hearted way. He forgot the

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fact that during the past 25 years the revenue from excise had gone up by 300 per cent. Sir, 25 years ago it was 186 lakhs and now, in the year about to close, it stands at the appallingly large figure of 543 lakhs. The Excise Minister drew a parallel and said—I do not think he meant business when he made the remark I am mentioning—that if 90 per cent of the population look upon thieving as a pastime and as their legitimate vocation, if 90 per cent of the population look upon adultery as not disgraceful, no legislature has got any right to devise ways and means to introduce measures to put down those things.

11-45 a.m. "That is carrying the principle of respecting the wishes of the people to a ridiculous extent. Now let me illustrate my position. I am one of those who think that the Government exist for the people and the Government are bound to carry out the feelings and the wishes of the people, but what is the attitude that this Government are taking towards the people of this Province? Let us take Land Revenue. Cent per cent of the people are against the land assessment being increased even to the slightest extent hereafter and yet the Government are going on merrily having their settlements carried out. I know that in some of the villages 90 per cent of the population have taken themselves to thieving. Especially it is so in a village in the South Arcot district in which 95 per cent of the population are criminals and they regard it as a pastime. They do not care for the feelings of others. Did not the Government, in that case, disregard their wishes by extending, with one stroke of the pen, the operations of the Criminal Tribes Act and transferring all of them to a settlement known as Aziznagar, twenty miles away from that village. I venture to suggest that there should be a limit to everything. If the principle of respecting the wishes of the people is likely to promote vice, if it is likely to add to their misery, then for the purpose of protecting the minority and also for the purpose of preserving the manhood of the nation, it is up to the Government and it is incumbent upon the Government to go to their rescue. Now, Sir, in answer to a question about this time last year, with reference to a statement made about the interpretation of Devolution Rules and so on, whether the hon. the Minister was prepared to accept this policy, he very conveniently stated that that was the legacy that he got from his predecessor. Now we lawyers and most of the laymen also know that so far as legacies are concerned, it is not compulsory on the part of the legatee to accept the legacy, if he thinks that that would embarrass or inconvenience him. So far as the present Ministers are concerned, they have succeeded in changing their portfolios and it was not incumbent upon the present Excise Minister to accept the legacy and it was fully open to him to throw it overboard and say 'I do not care for the legacy; I am prepared to begin with a new slate and I am prepared to do things in my own humble way for the purpose of preserving the manhood of the nation.'

"There is one other circumstance to which I should like to make some reference. I think many of us have asked this question, viz., as to whether definite instructions have been issued to the officers of the Public Health Department to carry on regular anti-drink propaganda and the answer was, 'that there is no objection on the part of health officers to carry on anti-drink propaganda.' This is far from saying that it is incumbent upon these people to carry on anti-drink propaganda. Many things

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may not be objectionable and yet unless the hon. Minister issues definite instructions to the officers of the Health department and say that it is incumbent upon them to carry on anti-drink propaganda, I do not think he can be regarded as taking a true and honest part in the discharge of his duties. He must issue instructions to the health officers making it incumbent on their part to teach the people the evils of drink.

"Now what is the kind of treatment that is being accorded by the Excise Department to the Licensing Boards. The treatment is nothing but step-motherly. In 1927-28, the Advisory Committee recommended the closure of 39 shops. Their recommendations were turned down in the case of 28, but accepted in the case of 11. In the case of 93 shops the Advisory Committee recommended the change of sites, but it was accepted only in the case of 52 or 53 shops and it was turned down as regards the rest. The real difficulty seems to be this. Excise revenue comes to a little over 31 per cent of the total revenue of this province and Government naturally feel that if they were to carry on propaganda for total prohibition and make this province dry in the course of 25 years, they will be losing a big slice of their revenue which they will find it difficult to replace. Is that the reason, I ask, for not making a very bold experiment for the purpose of preserving the manhood of the nation? We all know that in normal times every civilized Government requires two 'Ms', viz., men and money but in times of war they do require another 'M', namely, munitions. So far as the present time is concerned every Government is bound to give preference to men rather than to money. But so far as this Government are concerned, they seem to give preference to money and if they desire to secure money they seem to sacrifice the best interests of the nation at large, and that policy, I say, ought to undergo a change. That drink is an evil of very great magnitude is admitted on all hands, and it cannot be gainsaid. Muslim members, Christian members and Adi-Dravida members and the whole lot, except perhaps the hon. Minister and those of his way of thinking—are all fully aware of the evils of drink, and yet it is strange that a large sum of revenue is being got by Government from this tainted source. So far as this Government are concerned, they are hard-hearted and they sit unmoved to the plaintive appeal we make and they go on getting increased income. One sentence in the memorandum that was read out the other day by the hon. the Finance Member, an extract of which I also find at page 24 of the very lucid Budget Memorandum of the Finance Secretary, is sufficient to draw forth tears from one's eyes. It is stated there 'the increase in the revised estimate for 1928-29 is due to increased consumption.' Notwithstanding the increase of tax on toddy trees and notwithstanding the increase of duty on arrack, increased consumption has been going on. Increased consumption means increased misery, increased misery means increased domestic unhappiness and increased domestic unhappiness means a poor and emaciated progeny. Therefore, it shows that Government do not care for the opinion of the people, for their domestic happiness, nor for the physical, moral, mental and intellectual development of even the future generations. Therefore it is that I began my speech by saying that the policy followed by the hon. the Excise Minister is a very heartless one which carries its own condemnation. I do not want to say anything about this 4 lakhs allotment for temperance propaganda because that subject has been fully dealt with by the Excise Minister. I expect my hon. Friend to try the experiment of

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total prohibition in at least two districts, in particular in South Arcot, wherefrom I come and also in Chingleput. I find it difficult to restrain my feelings regarding the enormous excise revenue that is being collected from my district. The excise revenue from my district comes to nearly Rs. 26,73,000. It is the third in the Presidency excluding Madras, East Godavari and Tanjore each of them paying 29 lakhs apiece. Out of the total revenue of 5½ crores my unfortunate district pays Rs. 26,73,000, which comes to 50 per cent of the land revenue. This is a very good sum from the point of view of the Government. My hon. Friend Mr. Venkataramana Ayyangar says that it is so because my district is rich. It is not rich in this sense that the major portion of the district is cultivated with dry crops such as indigo and ground nut and the greater portion of the wages which the poor people earn by toiling on these dry fields go to the toddy shop. If the conception of richness of a district is that it pays a large amount of money to the toddy shop, then I have no quarrel with those who hold this view. I venture to suggest that in these circumstances steps must be taken to decrease the consumption of toddy which shows a tendency to increase. As I expect other hon. Members to follow me I should like to bring my remarks to a close, but this much I may say: that if the hon. Minister is unable to do anything within a short space of time to carry out the policy of total prohibition, I would ask him not to dangle with this question in a half-hearted manner, but to begin it in right earnest. If he is not prepared to go to that length, the best, safest and the most appropriate thing for him to do will be to bid good-bye to the Treasury Bench, cross the floor and go over here and take his seat with us."

* The hon. Dr. P. SUBBARAYAN :—" I had not the slightest intention of intervening in this debate because the administration of the Excise Department is entirely in the discretion of my hon. Colleague the Minister for Public Health. (Cries of : ' What about joint responsibility ? ')

"I was only going to deal with it and if my hon. Friends on the other side had waited for a minute they would have exactly known what I was going to develop. About the personal attacks that have been made by my hon. Friend Mr. Arogyaswami Mudaliyar, first of all I shall refer his mind back to the date on which he talked of this Prohibition Bill and I do plead guilty to the charge that I handed over this Bill to my hon. Friend Mr. Arogyaswami Mudaliyar, but I think my hon. Friend is wrong in saying that the Statement of Objects and Reasons was written in my own handwriting. The Bill was a typed copy and I think the expression ' Statement of Objects and Reasons ' might have been written by me with my own hand. I handed it over to my hon. Friend as a post office because I have been a friend of Mr. Rajagopala Achariyar for a long time and as my hon. Friend Mr. Arogyaswami Mudaliyar was thinking of prohibition at that time I merely handed over this Bill to him. I do not think it means that I agreed with his position with regard to excise policy. I entirely disagreed with his ideas of prohibition."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" A word of personal explanation, Sir."

The hon. the PRESIDENT :—" The hon. Member can wait for the opportunity."

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* The hon. Dr. P. SUBBARAYAN :—" My hon. Friend did hand me his note on prohibition, and as he said the Ministers did discuss this matter. But I can confidently assert that no agreement was arrived at. I thought that my hon. Friend Mr. Ranganatha Mudaliyar favoured temperance rather than prohibition. Mr. President, so much for prohibition.

" Secondly my hon. Friend attacked me of treachery and that I let him down with regard to excise policy. I think when he put forward his proposals and while they were being dealt with by other hon. Members of the Cabinet, both Mr. Arogyaswami Mudaliyar and myself had a discussion in his room and I remember Mr. Ranganatha Mudaliyar also pointing out that the question of total prohibition would not be so easy as he might seem to think, and what we might have to tackle was the question of temperance, that is, regulation of drink and cutting down the number of shops. At least that is what I remember. He thought if we went on with this policy of regulation for some years then we may ultimately reach the goal of prohibition. (Voices :—' What about the question of resignation ? ')

" If my hon. Friends had waited for a little while they would have heard what I had got to say. I do not think either of the three Ministers who were in office at that time thought of resigning their offices. The question of resignation came not on the question of prohibition or on the policy of excise, but on account of certain differences arising between the Ministers because of the appointment of the Statutory Commission. (There were interruptions from the Members of the Opposition.) My hon. Friends will themselves have an opportunity of talking. . . (Mr. S. Satyamurti :—What about your resignation ?) I never agreed to resign on this issue. (A voice :—There is the statement of the ex-Minister.) You can put one statement against another. The House can believe whichever it likes. I can say for certain that the word ' resignation ' was never used by me with regard to this matter of prohibition. Mr. President, the question of excise had, no doubt, been engaging the attention of myself and the then Ministers and I remember that, soon after we assumed office, Mr. Arogyaswami Mudaliyar, in a reply which he made in Tanjore, said that prohibition would almost be impossible as it was a question of taxation and that, unless other sources of revenue could be found, prohibition could not be tried. He condemned my hon. Friend, the Minister for Public Health, when he said that Mr. Arogyaswami Mudaliyar had no policy. I deliberately say I do not think the Ministry of that day had any policy as to prohibition at all (A voice :—It condemns you also), except that my hon. Friend was chopping and changing his policy as to this from time to time. My hon. Friend said that ' prohibition ' had been agreed to. I do not think the question of prohibition was agreed to because the file went its round and no decision was arrived at. (Diwan Bahadur R. N. Arogyaswami Mudaliyar :—' Between ourselves.') Even between ourselves I say there was no agreement. I deliberately say, Mr. President, that there was no agreement, as between ourselves, as to the adoption of prohibition. As far back as September 1927 when replying to the debate on total prohibition being carried within twenty years, I think my hon. Friend accepted the amendment of my hon. Friend, Mr. Arpudaswami Udayar which took out any reference to districts or the policy being tried in two districts or in particular areas. The resolution that was carried was that the goal of total prohibition must be reached within a period of twenty years, a resolution the same as that which

12 noon.

was carried about two years before that which also fixed a period of twenty years. That means we were given an extension for completely getting rid of the drink evil. I have said that no definite proposals were agreed to by the Ministers as a Ministry. . ."

* The hon. the PRESIDENT :—"I again request the hon. Member to address the Chair. In this debate specially I request every hon. Member to address the Chair." (Laughter.)

* The hon. Dr. P. SUBBARAYAN :—"I beg your pardon, Sir. I say there was no real agreement between the Ministers as to the question of prohibition. I may say, Mr. President, deliberately that I did not accept that policy of my hon. Friend and there was no treachery whatever in spite of the use of strong language by my hon. Friend Mr. Arogyaswami Mudaliyar."

* The hon. the PRESIDENT :—"Before Mr. Arogyaswami Mudaliyar makes his personal explanation, I may tentatively define the scope of a personal explanation. It is only intended to explain any statements in his speech which may have been misunderstood or misinterpreted by the hon. the Chief Minister. That is generally the scope of personal statements. Within these limits I give permission to the hon. Member to give his personal explanation."

* Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—"I thank you, Sir. I wish to refer to only one point about my prohibition policy. Definite proposals were put forward after consulting my Colleagues. We had several consultations and on the last day it was my hon. Friend, Mr. Ranganatha Mudaliyar, that definitely put forward the proposal that we should resign if the Government did not accept our proposals and Dr. Subbarayan said 'Yes'. I was saying that the assurance he gave me was that we should resign our offices if the Government did not accept our proposals."

* The hon. Sir NORMAN MARJORIBANKS :—"Sir, I have very little to say on this question. I only wish to say that, when these proposals that have been referred to came to the Reserved half of the Government, they did not come as the unanimous proposal of the Ministry. Having said that, Sir, I would deprecate very much the charges of falsehood that have been made on the floor of this House. Falsehood is a very strong word. It means that a statement has been made deliberately with the knowledge that it is untrue and I do not think either my late colleague or my present colleague mean to say that either of them has been making statements which they know deliberately to be untrue. (Loud laughter.) It is eighteen months ago, Sir, that these instances happened and passage of time and departure from the duties and limitations of responsibilities of office rather tend to make one forget exactly what had passed. It is very natural to say that things happened as we think they ought to have happened. I hope, Sir, that these statements will not be persisted in."

* Mr. A. RANGANATHA MUDALIYAR :—"Mr. President, Sir, I deprecate, as much as the hon. the Leader of the House, the turn things have taken. But if he thinks that we on this side are responsible for it, he is entirely mistaken. I would deprecate also his suggestion that a change of place may play tricks with one's memory of facts.

"I shall just try to recapitulate what happened in regard to this matter. You, Sir, and other older Members of this House know how

passionately we fought for prohibition. Sir, having taken part in the discussion of this subject for six long years and having given expression to definite views in regard to this matter, it is not likely that I or those who were with me then, would not have tried to give effect to what we had spoken about the excise policy. That is the reason why, as soon as the programme of our party came to be laid down, I took care to mention that this policy should be carried out not in a general and vague way but by definite and progressive stages so that from year to year we may know what progress we were making in this direction. On the floor of this House, Sir, my hon. Friend, Mr. Arogyaswami Mudaliyar, categorically made, in reply to questions put to him, the statement of fact that that programme had been accepted by all of us at that time. If I may say so, it is true that in the beginning I was puzzled sometimes at what my hon. Friend said here and there in some parts of the province, because I thought that it might be capable of a wrong interpretation and that it might be interpreted to mean that we did not seriously mean to carry out what we had laid down as our programme. But, Sir, all those things were set at rest by a definite discussion in this House and by a definite vote on the question. As soon as we went to Ootacamund we were all thinking how we should give effect to this idea of ours. As regards the methods we might have had differences of opinion. But I was entirely willing to accept the view of my hon. Friend and to stand by him loyally. For my part I thought that prohibition could be brought about in other ways too. He differed from me and said that the only proper method was to have total prohibition of the use of liquor in selected areas and go on extending them. I yielded to him on that point. Then, Sir, I raised the question specifically that, if our policy could not be carried out, it meant that we should tender our resignations on that issue and I was glad that, on that point, both my hon. Friends, Dr. Subbarayan and Mr. Arogyaswami Mudaliyar, had no doubt whatsoever. They said they would also resign on that issue if they could not give effect to our policy.

"Again, Sir, as regards that Bill which was handed over to Mr. Arogyaswami Mudaliyar for introduction, I may, perhaps, be permitted to say that, when that Bill was handed over to Mr. Arogyaswami Mudaliyar we thought that Dr. Subbarayan was the author of the Bill. We thought that he had taken much trouble on our behalf and wanted to help us in our work. . ."

The hon. the PRESIDENT :—"I am trying to find out how this criticism and revealing of facts will be in order in connexion with the present motion. The policy of Diwan Bahadur Arogyaswami Mudaliyar when he was Minister or that of his colleagues is not the issue now before the House. The condemnation of the present excise policy of the Government is the relevant issue. I hope the hon. Member will come to the issue very soon."

* Mr. A. RANGANATHA MUDALIYAR :—"I just wanted to say that the policy of the late Ministry was prohibition, that it had been agreed to by the three Ministers then, and that that policy is now being deviated from by the present Ministry. I wanted to show that all the then three Ministers had agreed to carry out this policy . I therefore felt it necessary to bring these facts to the notice of the House.

"My hon. Friend, Diwan Bahadur Krishnan Nayar, when on this side, was saying that I had voted for prohibition to be brought about within ten years and that my hon. Friend, Mr. Arogyaswami Mudaliyar, did not

introduce measures to carry out that policy. May I remind him that the ten years' limit was fixed in the first instance by his own party at one of its conferences. May I also remind him that the mover of the Bill, Mr. Venkataramana Ayyangar, stated at the time that he was not bound by the time-limit at all, and that he introduced the words 'ten years' simply because it had been accepted by the party then in power. To have based any arguments on that point was, I think, not very generous on the part of the Law Member.

"My hon. Friend, the second Minister, is not a novice in these matters. He has been bestowing attention on this question for a long time. On the floor of this House he described how he will bring about prohibition. When the hon. the Finance Member adduced arguments on the score of finance, the hon. Member said that he could meet these arguments and he had suggestions to make. He said, Sir, that all liquor shops should be removed to places outside the municipal limits. He was ready to impose a provincial income-tax and tax on thriving industries. I do not want to labour the point further. He has consistently voted with me when he and I were on the Opposition together. I leave it to the hon. the Law Member to ask his colleague now how far he is consistenly carrying out his policy."

12-15 p.m.

* Mr. J. A. DAVIS :—"Mr. President, Sir, this Council has, on two occasions, carried a resolution that the goal of prohibition should be reached within a period of twenty years. The Government are doing nothing to meet the wishes of this Council. We thought that the Minister would do something definite to reach this goal within twenty years and that he was sincere, in that he was a party to that resolution. There seems to be no sense in this resolution year after year without doing something to reach the goal.

"It is stated that propaganda is to be done under the head 'Excise'. As a matter of fact 'propaganda' is provided for under the head of 'Public Health'. Therefore this propaganda work cannot, in any sense, be said to be a further step towards reaching the goal of prohibition in twenty years. (Hear, hear.)

"So far as the first Ministry went, I admit that Sir Patro had to some extent made some definite advance. We expected very much during the time of my hon. Friend, Mr. Arogyaswami Mudaliyar, that he would move forward whatever his quarrel with his co-Ministers might have been. His speech to-day stands condemned. Mr. Ari Gowder and myself approached him with regard to this matter. We met him and again he was not all for advance in the matter of prohibition during the period he held office. So far as his speech went to-day, I say it stands condemned. During the period of Mr. Arogyaswami Mudaliyar, we know of no serious attempt being made, towards giving effect to the wishes of this Council."

Mr. S. SATYAMURTI :—"What about the present Ministry?"

* Mr. J. A. DAVIS :—"I am coming to that. So far as the present Ministry is concerned, certainly they have in certain respects done a great deal under this head. I cannot deny the fact that they have done much in this direction. This Ministry has closed shops in Kotagiri and in certain other places. I do say that it is the duty of the Minister to now advance one step further towards this goal of prohibition. At least one definite step. We shall then give him the credit of being the first Minister to have seriously advanced towards the goal of prohibition in twenty years. There is

nothing easier for him than to utilize the districts that have now got partial prohibition as fields for full prohibition. The question of finance has disappeared in so far as four lakhs is concerned and if he will move forward he will then be the Minister who has accomplished the most towards the goal of prohibition. I appeal to the Minister to spend part of the money at his disposal in putting our small district on prohibition and thus testify that he has so far respected the wishes of this House by making a definite step towards the goal of prohibition, and thus laying the first mile-stone in our prohibition journey of twenty years."

* Rao Bahadur Sir A. P. Patro :—"Mr. President, Sir, it is very satisfactory to learn after so many years from Mr. Arogyaswami Mudaliyar and those of his way of thinking sitting in the Opposition that after all these years of criticism the Justice Ministry had been honestly endeavouring to carry on a policy of temperance reform. It is after some experience and knowledge in practical administration Opposition begins to realize the difficulties of working a scheme. I am grateful for the frank way in which Mr. Arogyaswami Mudaliyar has given expression to his experience in excise policy. I have listened very carefully to the rather personal struggles of Mr. Arogyaswami Mudaliyar. It is a sad and disappointing chapter of the Ministry. I wish he did not make any reference to it, but he thought that it was necessary to make a reference to these matters in self-defence or in explanation of his position. There were one or two remarks which he made with regard to departments and that there are departmental heads who stand in the way of working out a policy and that therefore it would not be possible for the Minister to carry out his policy. Having had a longer experience with the working of the departments and having known various Commissioners of Excise, I would not be doing my duty to those eminent officers who had been working, if I did not stand up for them and say that whatever policy was laid down by the Minister the departmental heads had been loyally carrying out that policy. They rendered every assistance to me in the matter of working out schemes for the reduction of drink and their practical application ; they assisted me in the matter of trying to see how far the inauguration of partial prohibtion policy in the Nilgiris would be practicable ; they assisted me in examining the sources of revenue that would be affected by the temperance reform ; the subordinate officers in the districts have always carried out the orders of the departmental heads in all details enthusiastically and loyally. Therefore it is essential that I should bear testimony to the way in which they have carried out their work whatever the policy of the Ministry. Even with regard to what my hon. Friend has stated, namely, foreign liquor, the Board of Revenue and the Commissioners of Excise have always been very zealous to carry out the orders of Government in the matter."

* The hon. the President :—"If the hon. the ex-Minister goes on answering the questions put to him, I think the chances for the Minister to answer the charges will be minimized. The demand has to be put to vote at 12-54."

Rao Bahadur Sir A. P. Patro :—"I do not wish to enter further into the matter at all, but referring to the very carefully prepared speech of the hon. Mr. Arogyaswami Mudaliyar I need only say a word or two. Three outstanding facts are evident from that speech, namely, first that it is a political blunder which this Government have committed in forming a Ministry out of incongruous, inconsistent and non-descript elements;

secondly, it is also a political blunder that Ministers should continue to hold office when they do not agree on main principles of policy ; and thirdly, it is also a serious blunder as inferred from Mr. C. Rajagopala Achariar's legislative proposal in the matter of excise reform that the Ministers should be under the guidance, nay under the control and the bidding of any one political party, the Congress party. This has not benefited the country. It is quite evident from the remarks of Mr. Arogyaswami Mudaliyar that in the matter of excise he tried to formulate a policy, but it was abandoned by the Chief Minister; he formulated a policy which he himself did not clearly understand. If I take him to Nellore where he spoke about excise policy and again to Tanjore where he intended to initiate another policy, what is it that he wanted the country to understand ? There is no consistency between the two. May I take him again to what he read out here in this Council from a typed copy of twenty lines dictated and prepared by the leaders of Congress party who were anxious to keep him in office ? What is the principle underlying that speech ? Was there any policy enunciated in that ? Then, Sir, to say that this Minister has no policy is not at all a fair way of dealing with the question. The one question which the present Minister—I am not defending him—has to do is the introduction of a modified form of rationing. I suggested to the Minister that he should immediately take up the question of modified rationing system. This system has not been a success in Bombay after a trial of three years ; hence the necessity for modification. You have got to take the average consumption in a particular area, you have also got to take the average revenue for that particular area ; if you are able to find a person who will be able to take up with a reduction of 5 per cent, it will then automatically work without loss of revenue. This system was examined by the Commissioner of Excise and he advised the Minister on this matter. But I regret to say that the policy as recommended was mutilated, though it has been introduced in a modified form in two districts. If this policy were to be followed without danger to the revenue and safeguarding against the possibility of illicit distillation and sale, you will be able to effect temperance reform in 25 or 30 years. It is this policy that ought to have been accepted in full, but on the other hand, it has been mutilated without any justification. Hence it is not possible to say whether it will be a success or not. The Minister has not had the foresight or wisdom to adopt the system recommended in the matter. Such a policy if adopted would be conducive to the introduction of prohibition in the course of a definite period.

" Sir, it has been said, ' why not introduce prohibition now and immediately.' It is very well to talk of prohibition immediately. As you know political memories are very short, I should like to refer the House to the remarks of an hon. Member of this House who takes interest in the study of the subject and whose opinion we must regard as being serious or sincere. My hon. Friend representing the University in speaking on the ' Swaraj day ' stated what possibilities there were for giving practical effect to the principle of prohibition. He said that it was not possible, even if Mr. C. Rajagopala Achari were to be appointed as the Minister in the Madras Government, under the present circumstances he would not be able to carry out the policy of prohibition. Though oftentimes Mr. Satyamurti is dogmatic, he is not so dogmatic in this matter. He has given very sound reasons. He said, look at this vast expanse of the province ; on one side you have got the sea for illicit importation ; on the other, you have got the Indian States

abutting the Presidency wherefrom liquor can come with facility. He also stated that on account of the financial position stated by Sir Basil Blackett, it was not possible for him to accept prohibition owing to the fact that money was necessary for the nation-building departments. At that time he stated that it was not possible to introduce prohibition immediately or in the near future unless we obtained Swaraj. It is Swaraj he would care more to have. He would even live in a country of drunkards, but he would not live in a country of slaves. I believe that is how the hon. Member put it, because his conviction was such that he wanted to be relieved from the present bureaucratic form of Government. Therefore it would be quite inconsistent with his position at the time to say that we should have prohibition immediately introduced. If the Minister came out with a policy of prohibition now, I do not know what would be the attitude of the hon. Member representing the University, whether he would say that the Minister is wrong to bring up this policy before we attained Swaraj. But that is from Mr. Satyamurti. He does not represent the whole House, nor his own Congress party. We can only take into consideration what he says. On the other hand, all reasonable persons think that temperance reform is an absolute necessity and that it must be carried on more vigorously than the Minister has been doing. In the language of the hon. Mr. Satyamurti while it is impossible at present to have prohibition carried into effect before we attain Swaraj, at the same time I feel that temperance reform is an absolute necessity. If the modified system of rationing is adopted by the Minister truly and honestly and if the partial prohibition policy introduced by me, namely, wherever there is consumption of arrack in the toddy areas, liqour may be rationed in selected areas and gradually reduce consumption, and carry on this principle of partial prohibition from taluk to taluk or from areas to areas then the goal may be reached soon.

12-30 p.m.

"Though in four taluks the experiments were carried on we do not know what the results were. I hope he will give us the information on that point so that we may from the experience gained from the working of these institutions judge how far it would be possible for us to carry on temperance work on more certain lines than those recommended by Mr. Arogyaswami Mudaliyar or Mr. Ranganatha Mudaliyar. What we now want is (Swarajist cries: Drink) (Laughter) . . . What we now want is earnest action, i.e., to inaugurate a policy which will gradually and steadily lead to substantial temperance reform."

* The hon. Mr. S. Muthiah Mudaliyar :—"Mr. President, Sir, I have been listening to the speech of the hon. Mr. Arogyaswami Mudaliyar who opened the debate and the subsequent speakers who came after him, especially the speeches of Mr. Ranganatha Mudaliyar, Mr. R. Srinivasa Ayyangar and Sir Patro. As regards the opener of the debate I must say that in the course of his speech that took half an hour day before yesterday and some time to-day there has been nothing in it worth mentioning about the excise policy which is the subject of debate, except saying that this scheme of propaganda would be adverted to later on again and that it is no good. The rest of the time was taken, by what I am sorry to say, I have to characterize as mere personal abuse. I do not propose to deal with matters of which I have no personal knowledge and the hon. the Chief Minister and the hon. the Leader of the House have in a way indicated what was being done. As

[Mr. S. Muthiah Mudaliyar] [14th March 1929

I understand, the introduction of prohibition in two districts was not agreed to by his colleagues on the Reserved or Transferred side and the statement of the hon. Member that he had started the question of prohibition with the consent of his colleagues must be taken *cum greenis salo*. To come to that portion of the attack of the hon. Member charging me with two deliberate falsehoods I am sorry I have to say that I see no reason whatever to alter or vary my statements to the slightest extent. In answer to a supplementary question I said that the late Ministry had no policy. Having been challenged I feel bound to give to this House some facts to substantiate the statement. Hon. Members will remember that the hon. Member, the late Minister for Excise, accepted office in December 1926 and in February 1927, in a speech in reply to an address presented by the municipality of Tanjore talking about excise policy and prohibition he said he did not think that a very large percentage of the population was in favour of anything like total prohibition and that it was only the five or ten per cent of the population that were educated and who belonged to the higher classes that demanded prohibition and that unless the masses were educated they could not have complete prohibition and that public opinion in the matter of prohibition had not advanced to such an extent as to permeate the poor classes and that in his opinion the time had not come when they should demand total prohibition and that before anybody could talk of prohibition he must suggest to Government alternative sources of taxation. This was the policy and opinion of the Minister as regards the total prohibition in the middle of February 1927. On the 5th March 1927 in the general discussion on the budget the hon. Member said: 'Government already accepted prohibition as the goal and it is their intention to work up to that goal as far as possible. I deprecate, Sir, the placing of any time-limit for the attainment of the goal for the reason that we have to study various implications of the question, not merely the financial aspect of the question, but what exactly we have to do.' He continued further and referring to the partial prohibition experiment started by Sir A. P. Patro in the five taluks of Shiyali, Tiruturaipundi, Tiruvadanai, Tenkasi and Athur, he said that it was his intention to start prohibition experiments in other areas also and that it was embarrassing to him to say what those areas were and that it was his intention to stop foreign liquor licences in certain areas. He recommended caution and said that we should proceed step by step and that it should not be said of us that we rushed rashly and rapidly forward and that we were not able to maintain the pace. How far, Mr. President, this utterance of the hon. Member can be taken to mean a policy of immediate total prohibition I leave it to you and the hon. Members of this House to decide. Then in the budget demand under Excise Mr. Sami Venkatachalam Chetti, the then Leader of the Opposition, moved a token cut motion in the excise policy of the Government. In the discussion that followed, the hon. Member said 'for the future our policy will be the further reduction of shops and consumption by extension of the prohibition areas by such increase of duty on spirits . . . ' and so on. The prohibition which the hon. Member refers to on these two occasions is evidently the partial prohibition started by the hon. Sir A. P. Patro. Then, Sir, in October 1927 the hon. Member for Cuddapah, Parasurama Rao, tabled the following resolution :—

'That this Council recommends to Government that total prohibition of drink in the Madras Presidency within the course of five years be declared to be their goal and that they do

select immediately five districts in the Presidency and take all necessary measures to stop all importation, manufacture, sale and drink of all intoxicating liquors within the districts so selected.'

(Interruptions from the Swarajists.)

* The hon. the PRESIDENT :—" I would request the hon. Minister not to mind the interruptions."

* The hon. Mr. S. MUTHIAH MUDALIYAR :—" No, Sir. Various amendments were moved and I shall refer to only a few of them. Mr. Arpudaswami Udayar, who was a ministerialist . . ."

A voice :—" He is always a ministerialist; he was and he is and he will continue to be a ministerialist. " (Laughter.)

* The hon. Mr. S. MUTHIAH MUDALIAYAR :—" . . . . moved an amendment, the result of which was that the period was extended to twenty years and all the words after the word ' goal ' were deleted and the amendment was carried. The hon. Mr. Arogyaswami Mudaliyar voted for the amendment which did away with total prohibition in any restricted area. If the hon. Member was really for total prohibition in any area, two districts or one district or even one taluk at this period of his ministerial career why didn't he get his pious wish to introduce total prohibition in two districts backed up by the vote of the Council. On the other hand he got any area whatever altogether eliminated from the resolution of the Council. It did not stop there. The hon. Mr. Manickavelu Nayakar, the Member for North Arcot, at this stage moved an amendment to add the words ' and that the first step be taken during this year at least in two districts '. You will remember, Mr. President, that the hon. Member said the other day that his idea was to start total prohibition in two districts and that he was taking the necessary steps for having it done. When this amendment of the hon. Member for North Arcot states the same thing that the hon. Minister was doing, according to his professions, why did he oppose this amendment ? Is not this voting in direct contravention of what he says he was doing ? Does the hon. Member say that he thought of this prohibition in two districts only after the 22nd October 1927, after he voted against it in the Council ? I understand by this time he had stated in several public speeches that he would introduce prohibition in two districts. To go on with the narration of the hon. ex-Minister's action in this Council I will refer to the general discussion on the budget on the 2nd of March 1928. Just a week before the hon. Member resigned his office he says : ' I don't think, Madam ' —Sir, perhaps the hon. Deputy President was in the Chair—(Laughter) ' I need not speak here to-day on the subject of prohibition except to repeat what I said on the floor of this House during the time of the last budget. I stand exactly in the same position and I can to-day repeat every word of the statement I made then on the floor of the House. In a matter of such complication and difficulty I would like to impress on hon. Members the necessity for their showing a little more charity, if not appreciation, of the innumerable difficulties. For one thing it is very easy to say that we ought to start prohibition next year or the year after, but there are a number of complicated problems that have to be solved before we can launch on the experiment of prohibition. As far as I am concerned I repeat what I said formerly. My friend Mr. Ramachandra Reddi repeated what I had contradicted once before on

the floor of this Council, and said that I gave him and the people of Nellore to understand that I was going to start prohibition in Nellore. I think I said once before that that I made no such promise. What I said was that if we decided on prohibition, I should be glad to start with Nellore. I should have been glad if I was in a position to announce to this House to-day that Government have come to a final decision in this matter. It was clearly eight or nine months ago that my proposals were placed before the Government but I would like hon. Members to realise the fact that the questions to be solved concern not merely the Ministers on the Transferred side but also the Members of the Government on the Reserved side and particularly my hon. Friend, the Finance Member, who has got a good deal to say on the question. I have said before, and I may repeat once again, the fact that if we are to have prohibition in this country *it cannot be before we decided on other sources of taxation.* It is not an easy matter to settle and so far the question has not received from the hands of the hon. the Finance Member that close attention that the matter is sure to receive.'

"On the 15th March after he laid down his office the hon. Member stated : 'It was the intention of Government to extend prohibition areas, to increase the duty on arrack, to increase the tree-tax, to limit the extent of private possession and adopt other excise measures. Leaving minor matters altogether I may say I have already given effect to my promise in the matter. The duty on arrack has been increased in several districts, the limits of private possession have been reduced as steps towards the goal of prohibition'."

Swarajist Voices:—"Tell us what you are going to do."

* The hon. Mr. S. MUTHIAH MUDALIYAR :—"Hon. Members will just note that the hon. the ex-Minister in his enumeration of achievements does not claim to have extended the area of even the partial prohibition experiments which were started by the hon. Sir A. P. Patro and which Mr. Arogyaswami Mudaliyar in his budget speech of 1927 said that it was his intention to extend. This is the total prohibition policy of this gentleman and he found fault with me for saying that this gentleman dropped this idea of total prohibition like a hot potato. He characterized my statement as deliberate falsehood. Probably he meant that he never handled the potato to drop it. If that be so, my statement will be a falsehood. I said he coquetted with it. Probably he wants to say that he never coquetted but only made a pretence of coquetting. If that be the idea I plead guilty to the grave charge levelled against me. Now, Sir, to turn to the actual coquetting, or the pretence of it, whichever it may be, I must refer to some facts which have come to my knowledge from a perusal of the files. The Commissioner of Excise in his arrack proposals for 1928–29 recommended prohibition of private possession of arrack in the two taluks of Shiyali and Tiruturaipundi and also prohibition of sale of liquor to the members of the hill tribes in the Nilgiris and these recommendations were turned down by the hon. the Minister on the 17th January 1928 on the ground that they rested on a constitutional issue upon which no decision could yet be taken and that the proposals could not be approved. This was a departmental order which he passsd and for which he could not accuse his other two colleagues."

* Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—"On a point of personal explanation, Sir, . . ." (Cries of order, order.)

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12-45 p.m.

* Mr. ABDUL HAMEED KHAN :—" On a point of order, Sir, I submit that the Minister is not speaking on the subject at issue. He is speaking on other things that took place some time back. He is, moreover, reading a speech."

* The hon. the PRESIDENT :—" He is allowed to read the speech."

* Mr. ABDUL HAMEED KHAN :—" On the other matter mentioned by me, Sir ? "

* The hon. the PRESIDENT :—" He is in order."

* Mr. C. V. VENKATARAMANA AYYANGAR :—" There is another point of order, Sir, with regard to his making references. He is making some references, reading some extracts from some papers which are neither placed on the table of the House nor are placed in the hands of Members."

* The hon. the PRESIDENT :—" He is not referring to any papers but is reading a speech got typed by himself."

* The hon. Mr. S. MUTHIAH MUDALIYAR :—" I may tell the hon. Member that the extracts referred only to the proceedings of the Legislative Council. I read no other extracts at all."

* Mr. C. V. VENKATARAMANA AYYANGAR :—" What about the Commissioner of Excise ? "

* The hon. Mr. S. MUTHIAH MUDALIYAR :—" The Commissioner of Excise made this recommendation, and Government turned it down. That is a fact I am stating and not any quotation."

Mr. S. SATYAMURTI :—" Sir, you have ruled that no reference can be made to any file which is not placed on the table of the House. The hon. the Minister is referring to the Excise Commissioner's recommendation to the Minister which was turned down by him. I ask for your ruling, Sir, whether he can refer to that without placing the file on the table of the House."

* The hon. the PRESIDENT :—" Has he referred to any file in his speech ? I do not think he is making any quotations."

* The hon. Mr. S. MUTHIAH MUDALIYAR :—" No, Mr. President, absolutely not. There is not a word quoted by me from the file. I was only mentioning the action taken by the Commissioner of Excise, and was also narrating the action taken by the Government in the matter. These recommendations were turned down by the hon. the Minister on the ground that grave constitutional issues were involved."

Mr. S. SATYAMURTI :—" That was in the file and he read from it."

* The hon. Mr. S. MUTHIAH MUDALIYAR :—" Upon that no decision could yet be taken and the proposals could not be carried out. The hon. Member the other day was giving a learned discourse on the interpretation of the Devolution Rules and the Abkari Act and said that the matter was so simple and so clear. Yes, on the 12th March 1929 it was clear. But just a year before, in January 1928, . . ."

Mr. S. SATYAMURTI :—" What about your policy ? "

[Voices : " Come to the point, " " Oh," etc.]

* The hon. the PRESIDENT :—" Order, order. I would like the Opposition to coolly hear the remaining portion of the hon. Minister's undelivered speech before it is 12-54 p.m."

[14th March 1929

Mr. S. SATYAMURTI :—" Is there no policy for the Minister, Sir ? "

* The hon. Mr. S. MUTHIAH MUDALIYAR :—" There is, Sir. As I was saying, Sir, on the 12th March 1929 it was clear to Mr. Arogyaswami Mudaliyar. But just a year before in January 1928, the matter was such a grave constitutional question that he had turned down the modest proposals of the Commissioner which, whatever might be the result of the constitutional issue raised, were merely a slight extension of the partial prohibition experiments started by the hon. Sir Patro. If I said that he dropped total prohibition as a hot potato, is not this such dropping ? What else is it ? Probably I ought to have said he dropped *even* partial prohibition as a hot potato.

" Turning to the question of total prohibition, I said he coquetted or, if I am incorrect in this statement, . . ."

Mr. S. SATYAMURTI :—" Your policy, please. What do you say now ? "

* The hon. the PRESIDENT :—" Order, order. I think it is not at all desirable that the Minister should be disturbed in this way, especially when the time is very short."

* The hon. Mr. S. MUTHIAH MUDALIYAR :—" Or he pretended to coquet. I must in fairness to him say that he started the idea of a Bill to prohibit the consumption of alcoholic liquor and intoxicating drugs in selected areas in the Presidency of Madras. If, according to the contention of the hon. Member, section 13 (*a*) of the Abkari Act is enough to carry out partial or total prohibition in any area, why did he have recourse to further legislation in the matter ? Does he say that he has grown wiser since he left the Treasury Bench and that his ideas on the constitutional question and total prohibition have grown clearer since ? I do not want to deny to the hon. Member clear thinking even now, but I must say that his ideas on excise and prohibition were so vague, his mind so agile and his impressions about the subject so indefinite that he himself cannot clearly recollect what they were at any particular time and so I will not be uncharitable enough to give the reply direct to the statements of the hon. Member or even retort courteous and say that he is guilty of tergiversation. In his bitterness he is making statements for which in cooler days later on he will repent.

" Now I turn to the subject. He started his idea of legislation in May 1927 if not earlier and I am not able to find any concurrence of opinion either on the Reserved side or on the Transferred side. The hon. Member stated that he had started this with the consent of his colleagues and two of his colleagues have already told you about that consent. You, Sir, would remember that this file was started long before the resolution of the Council which I referred to already in October 1927, and why did he not in his speech on that motion say that a prohibition law was necessary before he could proceed in that direction and that he was taking necessary steps for it ? I must say, because it was quite apparent to him by that time that it was not possible to carry through legislation for want of agreement with his colleagues on the Reserved and Transferred sides. Most of his colleagues had noted by that time. They thought that it related to law and order and finance. At any rate, by the time the hon. Member laid down his office it had become very clear that he could not carry through his legislation. All the Members and Ministers had noted. He told us the other day that the Ministers had agreed that they should resign if his policy of prohibition was

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not accepted. As I said, by that time it had become absolutely clear that his proposal was not accepted and the hon. Member in his statement of the reasons for his resignation does not make any reference whatever to this as one of his reasons. The hon. Mr. Ranganatha Mudaliyar made two statements as regards the grounds of resignation and he does not refer to it. If the Ministers had agreed to resign on this question or if at any rate the hon. Mr. Arogyaswami Mudaliyar at least intended that he should resign on this question, don't you think this which is trotted out in March 1929 would have found a prominent place in his statement a year earlier? Reasons and policies are improving since resignation. The hon. Member in the course of his speech said that he raised the tree-tax and duty on arrack with the express purpose of utilizing the surplus income raised thereby for the introduction of prohibition in two districts and that this raising and the introduction of prohibition were part and parcel of a single unified scheme. During the period the hon. Member was in office there were two orders on arrack proposals for the years 1927-28 and 1928-29 and one on toddy proposal for the year beginning with October 1927. There was enhancement of tax and duty, and I have not been able to find in the orders any reference to the unified scheme of the hon. Member.

"I do not propose to advert to the irrelevant topics indulged in by the hon. Member about my change of party. I only refer to the statements to the press which I issued in 1927 and in January 1928. I admit the hon. Member has a just grievance against me. I objected, Sir, to the Congress party supporting a benami Ministry. The support was withdrawn. The hon. Member resigned. I do not quarrel with his bitterness. About what has been done towards his goal of prohibition I stated a few things that have been carried out in the general discussion only a few days ago, and I do not think it will be necessary for me to occupy the time of the House by repetition.

"The hon. Member, Sir Patro said that he had started his partial prohibition experiment in five taluks and that it was his intention to extend it. That experiment has been extended to a sixth taluk also—Paramakudi. Sir Patro referred to a scheme of starting a form of rationing system in the Vizagapatam district, and that for some reason or other full effect was not to be given to it. It was too late in February to adopt it fully. I may assure him that the same will be taken again in September or October and effect will be given to the scheme as far as possible. If we take the proposal as a whole, we would have to take steps. . ."

The hon. the PRESIDENT :—" Order, order. I shall now put the reduction motion as well as the grant to the vote of the House."

The reduction motion was put to the House and declared lost. A poll was demanded and the House divided thus:

Ayes.

1. Mr. Mahamud Schamnad Sahib.
2. ,, V. I. Muniswami Pillai.
3. ,, G. R. Premayya.
4. Swami A. S. Sahajanandam.
5. Mr. V. Ramjee Rao.
6. ,, P. C. Venkatapati Raju.
7. ,, R. Srinivasa Ayyangar.
8. ,, Sami Venkatachalam Chetti.
9. Mr. S. Satyamurti.
10. ,, C. V. Venkataramana Ayyangar.
11. ,, J. A. Saldanha.
12. ,, G. Harisarvottama Rao.
13. ,, Basheer Ahmed Sayeed.
14. ,, C. S. Govindaraja Mudaliyar.
15. ,, Abdul Hameed Khan.
16. ,, L. K. Tulasiram.

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Ayes—cont.

17. Mr. K. V. R. Swami.
18. ,, D. Narayana Raju.
19. Dr. B. S. Mallayya.
20. Mr. K. R. Karant.
21. ,, K. Madhavan Nayar.
22. ,, P. Anjaneyulu.
23. ,, A. Parasurama Rao.
24. ,, C. Ramasomayajulu.
25. ,, T. Adinarayana Chettiyar.
26. ,, P. Bhaktavatsulu Nayudu.
27. Sriman Biswanath Das Mahasayo.
28. Mr. A. Kaleswara Rao.
29. Mr. Mothay Narayana Rao.
30. ,, C. N. Muthuranga Mudaliyar.
31. ,, Muhammad Meera Ravuttar.
32. ,, C. Venkatarangam Nayudu.
33. ,, A. Ranganatha Mudaliyar.
34. Diwan Bahadur R. N. Arogyaswami Mudaliyar.
35. Mr. Ramanath Goenka.
36. ,, K. P. Raman Menon.
37. The Zamindar of Gollapali.
38. Mr. T. C. Srinivasa Ayyangar.
39. ,, R. Nagan Gowda.

Noes.

1. The hon. Sir Norman Marjoribanks.
2. ,, Khan Bahadur Sir Muhammad Usman Sahib Bahadur.
3. ,, Mr. T. E. Moir.
4. ,, Diwan Bahadur M. Krishnan Nayar.
5. ,, Mr. M. R. Seturatnam Ayyar.
6. ,, Mr. S. Muthiah Mudaliyar.
7. ,, Dr. P. Subbarayan.
8. Dr. (Mrs.) S. Muthulakshmi Reddi.
9. Diwan Bahadur P. Kesava Pillai.
10. Mr. Alladi Krishnaswami Ayyar.
11. ,, Hilton Brown.
12. ,, H. A. Watson.
13. ,, C. A. Souter.
14. ,, S. H. Slater.
15. ,, A. McG. C. Tampoe.
16. ,, C. W. E. Cotton.
17. ,, V. Ch. John.
18. ,, M. A. Manikkavelu Nayakar.
19. ,, Syed Tajudin Sahib.
20. ,, H. B. Ari Gowder.
21. ,, A. B. Shetty.
22. ,, J. Bheemayya.
23. ,, J. A. Davies.
24. ,, R. Foulkes.
25. ,, P. J. Gnanavaram Pillai.
26. ,, Mooppil Nayar of Kavalappara.
27. The Zamindar of Singampatti.
28. Mr. J. Kuppuswami.
29. Subadar-Major S. A. Nanjappah Bahadur.
30. Rao Bahadur O. M. Narayanan Nambudiripad.
31. Mr. T. M. Narayanaswami Pillai.
32. ,, K. Krishnan.
33. ,, N. Siva Raj.
34. Rao Sahib L. C. Guruswami.
35. Mr. P. W. A. Soundara Pandia Nadar.
36. ,, S. Subrahmanya Moopanar.
37. ,, S. Venkiah.
38. Rao Sahib M. Hampayya.
39. ,, R. Srinivasan.
40. Mr. C. E. Wood.
41. ,, W. O. Wright.
42. ,, F. E. James.
43. ,, R. J. C. Robertson.
44. ,, H. F. P. Hearson.
45. Mr. S. N. Dorai Raja.
46. Mr. S. Arpudaswami Udayar.
47. The Zamindar of Kallikota.
48. Rao Bahadur C. S. Ratnasabhapati Mudaliyar.
49. Rao Bahadur Sir A. P. Patro.
50. Diwan Bahadur P. C. Ethirajulu Nayudu.
51. Mr. P. T. Rajan.
52. ,, T. K. Chidambaranatha Mudaliyar.
53. Rao Bahadur S. Ellappa Chettiyar.
54. Khan Bahadur S. K. Abdul Razack Sahib Bahadur.
55. Mr. Muhammad Khadir Mohidin Sahib.
56. Diwan Bahadur S. Kumaraswami Reddiyar.
57. Khan Sahib T. M. Moidoo Sahib Bahadur.
58. Rao Bahadur K. Sitarama Reddiyar.
59. ,, B. Muniswami Nayudu.
60. Mr. A. V. Bhanoji Rao.

Ayes 39. Noes 60.

The motion was lost.

The demand for Excise was then put and carried and the grant made.

DEMAND III—STAMPS.

1 p.m. * The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ Sir, on the recommendation of His Excellency the Governor, I move—

‘ *for a grant not exceeding Rs. 5·87 lakhs under Stamps.* ’ ”

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* Rao Bahadur B. MUNISWAMI NAYUDU :—" I move—

'to reduce the allotment of Rs. 2,36,200 for Stamps by Rs. 100.'

" It is to urge upon the Government the need for reducing stamp duties to pre-Reform level.

" Sir, as the House is aware, the court-fees and stamp fees were increased in 1921 owing to the demand to meet the iniquitous impost. The increase was more than 50 per cent and, having regard to the fact that by a process of calculation the amount on which the stamp is to be paid has also been increased—the increase is now more than 75 per cent. I find from the Finance Memorandum that for the last eight years, in the four years the income was more than the expenditure, and in the remaining four years it is not so. Therefore in the last eight years, taking the contribution we have to pay to the Imperial Government, we have more income than expenditure. Therefore, there is a good case for reducing the stamp duty to the pre-Reform level. This subject was urged at the last budget and also in the year previous, and the previous members in charge have said that they would see what could be done but nothing has been done in this direction so far, and unless the present Law Member would tell us that he would introduce a Bill as early as possible, we will vote down this sum. Moreover, I have also given notice of a cut of two lakhs, and if the answer from the Government is not sufficiently encouraging I propose to press that also."

* Rao Bahadur Sir A. P. PATRO :—" I have great pleasure in seconding the motion of Mr. Muniswami Nayudu. It is really a breach of faith on the part of the Government (Hear, hear) that at the time this stamp duty and court-fees were enhanced, we were distinctly given to understand that it was only a temporary measure, and if the finances of the province improved by the release of the provincial contributions then the matter would be reconsidered. But for the last few years, at the time of the budget we have been asking for a reconsideration of this matter. But hon. Member after Member from Government said that they would consider the matter but nothing has been done so far. I think the hon. Member from Chittoor was justified in saying that if no satisfactory reply came, if no reduction is going to be effected, the House would vote for the cut of two lakhs. Therefore, we await the reply of Government whether they are going to reduce the stamp duties and court-fees to the level of 1922. It is purely a matter of relief to the tax-payer and to redeem the promises made in order to meet the deficit budgets this duty was imposed. Now, there is a surplus and there is no reason why the tax-payer should not be relieved of this burden which was imposed on the understanding that it would only be temporary."

* Mr. K. MADHAVAN NAYAR :—" Sir, it is indeed a very shameful account that the Government have to give about themselves so far as their policy regarding the stamp duty is concerned. As stated by the two previous speakers, it was on a definite understanding that this enhanced stamp duty will be reduced after some time, that the House gave its consent to the passing of the Bill in 1922. And most of the speakers that took part in the discussion on that day gave their support to the Bill on that express understanding. That the Government understood it in that way is seen from the various promises that have been made on subsequent occasions by various Members of Government. I do not wish to trouble you with all

that happened, but I may be in place if I draw your attention to the statements made by some of the responsible officers of Government. We believe Sir, that the stage is not reached, so far as the stamp policy is concerned, when the Government are nakedly irresponsive to the voice of the people of this country. There is a certain stage in their mental development regarding any particular question when they are quite callous to public opinion. They have not reached that stage, I believe, so far as this question is concerned and they have not so hardened themselves as to become oblivious of the promises that they have made. I think they have not reached that stage. Therefore, this is the time, Sir, for us to hammer and hammer hard enough and loud enough so as to penetrate the deaf ears even of the bureaucratic Government.

"Coming to the promises that were made, I shall refer first to the promise made by Sir C. P. Ramaswami Ayyar. He said 'reduction, as I have said, is necessary from the utilitarian and financial point of view; and I consider that the restoration of the old court-fees might even lead to increase of revenue.' Then, the hon. Mr. Graham, the Finance Member to the Government of Madras, made the following statement: 'As for the remission of provincial contribution, the suggestion that a portion of that might be expended on introduction in some measure of prohibition or reduction of court-fees and stamp duties will be considered.' These are the statements of two responsible Members of Government. Then let us come to the statements of other predecessors of the present Law Member. The hon. Mr. Usman said in 1927: 'We are only waiting for an opportunity to reduce them. We have not yet got from the Government of India orders to the effect that the provincial contributions have been remitted. When that amount is released for our use, Government will consider the question of reducing the stamp duties.' This was in 1927. Then, in 1928, the Member in charge, Mr. Campbell, said 'My hon. Friend Mr. R. Srinivasa Ayyangar, in his minute of dissent, referred to the answer to a question given on the 18th October to the effect that the Government had decided that it was not advisable to reduce the stamp duties at present. Since that date, there has been a change in the position by the permanent remission of the contributions payable by the Provincial Governments to the Government of India. But this matter is now under the consideration of the Finance Committee. The Finance Committee took it into consideration and called for certain information; that information has now been supplied to the Finance Committee and no doubt the Finance Committee will take it into its earliest consideration. I would, in these circumstances, suggest that it is not desirable that this House should in any way prejudice the Finance Committee by expressing any final opinion without hearing what the Finance Committee may have to say.'

"So that you see from the various statements of responsible officers, the Government made the House understand that they would remit this enhanced duty when the imperial impost was taken off. It is true, Sir, that the promise undergoes some dilution, as it were, as years pass on but it has not become quite insipid and non-existent. These were the statements that were made by those that were responsible for the stamp duty administration in previous years. Now I come to the position that is taken by the present Law Member. I do know that I tread on dangerous ground when, as one coming from Malabar, I have to say anything against or about the present Law Member. There are a few men in my constituency who

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consider that any opposition to Diwan Bahadur M. Krishnan Nayar after he became the Law Member is a sacrilege. But I am sure he does not share that mentality, and I hope he will not prevail upon his colleague to use section 151 of the Criminal Procedure Code against me in the House itself. So that I shall proceed to what Diwan Bahadur Krishnan Nayar said on the last occasion. Last year it so happened that he followed my speech and this was what he said on that day. 'I support this motion, Sir. As my Friend, Mr. Madhavan Nayar said, this perpetual consideration of the Government must have an end. They are always shifting and changing their grounds and want to avoid fulfilling their specific and express promise. The first express promise was made in this House at the time of the imposition of the duties in 1922 and the promise was that when the financial pressure was at an end they would remit these duties to their former level. That promise has been practically made year after year for the last five years and as was referred to there was a distinct promise last year by my hon. Friend there, the hon. Khan Bahadur Usman Sahib. He made a distinct promise that when the remission of provincial contribution was made the Government would consider this question. They must redeem their promise which stands unredeemed. Even Government must act according to their promise (Hear, hear) (Hear, hear) and respect the opinion of the Council which was unanimously expressed.'

"Now, so far as the remarks made by Diwan Bahadur M. Krishnan Nayar are concerned, it is not my desire to use any strong expression so far as he is concerned—I must say that occupying the position he does in the Cabinet of this Government, it is time for him—he having the reputation of an honest man, of a man of his word—to act up to the opinions that are expressed by him on that occasion. What is it that the Government are afraid of by the reduction of the stamp duty? That is a question which baffles us. The heavens have not come down because the registration fee was reduced last year. When the stamp duties were increased the Government expected an increase of revenue of about 35 lakhs so far as judicial stamps are concerned. From the proceedings of the meeting on that day, I understand that it was about 134 lakhs or so that was collected by way of court-fees then. By the legislation, they expected an enhancement of 35 lakhs. What is it that has happened during all these years? In every item of revenue, the income of the Government has gone up, and the increase in court-fees is only increase of 14 lakhs or so. The present income from court-fee stamps is only 148 lakhs or so. From 135 it has gone up to 149 lakhs. That is all. So, in view of what Sir C. P. Ramaswsmi Ayyar has said, and of our own experience, there can be no doubt that even the reduction will result in an increase of revenue under this head. I do not therefore see why Government should hesitate in this matter. They have been making promise after promise but have not redeemed one. They do not act up to any demand of ours. Especially in the matter of excise this House has been unanimous. I should not have pressed this matter at all if the Government had shown some sympathy, some inclination to reduce the excise income of this province. They have not responded to our wishes on any matter, even matters on which the House has been practically unanimous. The time came long ago for this duty to be taken away and yet they have not done it. I ask the Government in the name of common honesty, common morality, to redeem the pledges they have made.

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1-15 p.m. "The enhanced stamp duty hits very heavily on the people. It is not true to say that stamp duties do not weigh heavily on the ordinary people. It is a travesty of truth to say that. Though the rich man goes to the court and pays the heavy court-fees in the first instance yet it is the poorer man who has ultimately to pay these fees. What is the court-fee we pay now? Formerly the litigant was paying only 7½ per cent. But according to the present Court-fees Act, this has been raised to 11 rupees and odd. It is not merely an increase from rupees 7½ to rupees 11 and odd but it is an increase of much more than that. I will give one instance. Formerly so far as land suits were concerned the litigant had to pay a court-fee on five times the revenue. Suppose therefore the assessment of the land is Rs. 10 the litigant has to pay a court-fee on Rs. 50. Now we are asked to pay a court-fee on ten times the revenue instead of five times. And on ten times the revenue, the litigant has to pay 150 per cent of the old court-fee. Thus the increase is not one and a half times but three times. Then again the litigant has to pay a court-fee in the lower court and again when he files an appeal and again when he files a second appeal a litigant has to pay Rs. 11 and odd in the lower court and Rs. 11 and odd in the First Appellate Court and again Rs. 11 and odd in the Second Appellate Court. This means, that when the suit is finally decreed almost the whole value is absorbed in court-fees. I have left out of account the vakil's fee and the wages of the vakil's clerks and bribes in some cases to clerks, amins, and peons, etc. (this is not uncommon). So that by the time the litigant concludes the litigation he has lost everything and thereafter becomes very much wiser. He thinks twice before he launches on fresh litigation. All these things have to be taken into account but Government are deaf to all this. I can understand their anxiety to preserve the revenue but this is a matter in which if they only change their policy and reduce the court-fees they could not only make more money but can make the people happier. They do not do that. It is this attitude which bewilders the people. We do not and cannot understand the policy of the Government in this matter. I appeal to this House therefore to support this motion of censure on Government for their policy, for their callous policy for the systematic irresponsive and irresponsible policy which they have been pursuing all these years."

* The hon. the PRESIDENT :—"I think Mr. Ramasomayajulu proposes to discuss the cost of copy stamps. I think it comes under General Stamps. I think he has a right to speak now as he will not have another opportunity."

* Mr. C. V. VENKATARAMANA AYYANGAR :—"Judicial and non-judicial stamps."

* The hon. the PRESIDENT :—"Both. The question of judicial and non-judicial stamps as well as copy stamps will be disposed of by a vote on this motion."

* Mr. C. RAMASOMAYAJULU :—"Enough has been said to bring home, if that is really possible, to the Government the unfortunate position in which people find themselves. If it had been a private individual he would have been hauled up for criminal breach of faith and breach of covenant in this matter. If it had been an ordinary individual, he would have been convicted for this criminal breach of faith and covenant. I say, covenant, because the Government very clearly gave the country to understand that

the impost of this additional taxation on stamp and court-fees would be reduced as soon as some financial relief has been found. Well, Sir, when we were agitating for the removal of this impost it was held out to this House that as soon as the provincial contributions were removed the impost would be taken away. Well, the provincial contributions have been remitted and still we are where we were. As I put it in the beginning if it had been an ordinary individual, I suppose, the criminality involved in the matter would have been considered of the extreme type. Now, Sir, the Government let slip the opportunities and continue for ever as they please. That is an unfortunate situation. I do not think I can add more words to bring home to the Government the need for taking action in this matter. This reduction of court fees is long overdue and we cannot brook any more delay.

" One other matter which I wish to bring to the notice of this House is this. Copying stamp papers used to cost 2 annas a paper formerly and it has been raised to 3 annas, i.e., 1 anna more. One unhappy circumstance connected with this matter of copy stamps is this. The present copy stamp papers are of a particularly inferior type.

" With reference to these copy stamps might I put forth one other view. It is not merely for making use of copies in judicial trials that copy stamps are purchased ; but it so happens that several decrees which are the ultimate title-deeds with reference to immovable properties, these have to be embodied in the shape of decrees and then these decrees are engrossed copies on these stamp papers as documents of title. These copies have to be preserved for generations. The present copy stamp papers are of such inferior kind that they will not stand the test of time. So there is the double penalty. There is a decrease in the quality of paper and an increase in cost. Therefore, the Government ought to have seen that the value of the copy stamp paper should be restored to its former level.

" Now, Sir, the registration fee has been reduced to a certain extent but not to the old extent. But so far as the court-fee stamps are concerned, as one of the persons conversant with the grievances of the people, may I point out to the Government that the litigant public are being hard pressed. It is true that the rich litigants can afford this ; but it should be realized that after all it is the poor people who have to pay to the rich ultimately. I submit, Sir, that the court fee is so prohibitive that poor people are afraid of going to a court of law even when they have a just case. But the Government do not wish to go into the crux of their grievances. The really needy litigant cannot find the money to pay these fees. How long are we to grumble at this attitude of the Government, I do not know. The Government remain adamant. As Mr. Muniswami Nayudu pointed out, the Government have got to think twice before they put on an attitude of neglect about this matter. I support this motion and I hope the whole House will agree to it."

* The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I shall first deal with the second of the two suggestions referred to by my friend Mr. Ramasomayajulu. He said that the cost of copy stamp papers should be reduced from 3 annas to 2 annas, and he stated also that the quality of the paper is inferior, and that very often these copy stamp papers are used for the purpose of copying documents which are to be preserved for a long time.

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" Now with reference to the quality of the paper, I submit, Sir, that there is nothing wrong with reference to the quality. As a matter of fact, Government took particular care before this particular quality of paper was introduced. It was approved by all persons who have an expert knowledge in the matter. It was approved by the Master of the Security Printing Press at Nasik who generally prints these papers. It was also approved by the Superintendent, Government Press, here and by the Superintendent of Stamps and Stationery in Madras. It was after consultation with these expert authorities that this particular quality of paper was introduced. Thus there is no reason to think that the quality of the paper is inferior.

" With reference to the financial aspect, namely, that the cost of the paper shouldbe reduced from 3 annas to 2 annas, this has to be considered with the general question of revision of stamp duty.

" There is also another consideration to be taken into account in this connexion. The Salaries Committee which was appointed about 1920 stated that the remuneration of the copyists should be increased and that one of the ways for finding the necessary finance for increasing the remuneration of copyists was that the cost of the stamp papers out of which ultimately these copyists are paid should be enhanced. So that there is that additional reason also for enhancing the cost of the copy stamp paper.

" In addition to that, there was another committee appointed by Government in 1922 or so of which members of this Council were also members. They also made the same recommendation, namely, that the remuneration of the copyists should be enhanced and stated that one of the means of finding the necessary money for this purpose was to increase the cost of the stamp papers. It was in consequence of these recommendations that the remuneration of the copyists was increased. As a matter of fact, they receive more now than they did before (A voice : ' How much ? '), i.e., about 50 per cent. So in consequence of the recommendations of these two committees that the cost of the stamp paper for copying was enhanced from 2 annas to 3 annas.

" With reference to the general question of reducing the court fee and stamp duties, I know that there is considerable feeling and I shall make this promise, namely, that in consultation with my Colleagues I shall carefully consider the question (A voice : ' When ? ') immediately after this budget discussion is over. (Mr. Swami : ' It is hanging fire for the past two years.') I am afraid it is not possible for me to give a more definite assurance than that. I am prepared to give that assurance."

The Council then adjourned for lunch.

After Lunch (2-30 p.m.).

* Sriman Biswanath Das Mahasayo :—" Mr. President, Sir, I was very glad to hear from the floor leader of the Justice party that the Government, by their attitude and by their conduct, have committed a grave breach of promise. I think the Government have not at all done the justice that they ought to have done in the matter. My hon. Friend from Malabar has catalogued all the replies received in this House from the Treasury Benches ever since 1923–24 and therefore it is unnecessary for me to dilate on them.

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"Sir, it seems to me that hon. Members assume a different attitude on all matters as soon as they are shifted to the Treasury Bench which attitude necessarily becomes irreconcilable with their past professions as also with the spirit of non-officialization of the Treasury Bench which the Declaration of 1917 be spoke. Sir, the hon. the present Law Member has now given us a promise that he will consider the question. We cannot agree to wait for his consideration. He himself, after assuming charge of the office, had ample time to consider the question in all its aspects especially after the budget debate during which all shades of opinions had been expressed. They should have considered all these things before they came forward with this demand. If no satisfactory response is forthcoming, we would not only carry this censure motion, but also try to throw out the entire demand. In this connexion I would appeal to the members of the Justice party as also to the Ministerial benches to support us. If they do not support us, I beg leave to point out and I make no secret of it that we shall make at the elections a capital issue of this question and take them to the country to explain their conduct.

"Sir, we cannot tolerate any further the system of budgeting that has been followed by the Madras Government. Time and again we have complained that the bureaucracy spends more money on law and order than is necessary. They have added new feathers to their cap in refusing to remit taxation if once it is levied. This tendency is irreconcilable with all notions of democracy when their pockets are full. We feel, Sir,—and it is high time that they note this—that we are being treated like people who come here merely to register our votes for whatever fresh taxation they might propose to impose. By this attitude of theirs, the Government of Madras have put the hon. Members of this House in a very false position which they can never explain to their constituents. Sir, in 1922 we were told by the hon. Sir Muhammad Habib-ul-lah Sahib that these taxes would be remitted the moment there was a surplus. Time after time these promises were iterated and reiterated by hon. Members now occupying the Treasury Bench. The Finance Members, the Leaders of the House, Law Members and the present Home Member himself have told us that they would consider the remission of taxes the moment provincial contributions were remitted. Now we have got the whole of the provincial contributions remitted and not only that, they are unable even to spend the money now lying in their hands. That being the position, I cannot understand their attitude towards the insistent demands of hon. Members of this House.

"My hon. Friend, the Law Member, has given us a promise that he would consider. I would invite his attention to the report of the Finance Committee presided over by the hon. the Finance Member published at page 248 of the Proceedings dated 1st March 1927. In that report they recommend the immediate reduction of the registration fee and say that 'in their opinion it is necessary to investigate how far the increased stamp duties—judicial and non-judicial—introduced by the Act of 1922 may or should be reduced and how soon effect may be given to any reduction which may be found desirable.' So, we have had many promises and we are no more going to believe or rely on them. If we are to accept the promise of the hon. the Law Member, we will have to wait for another year while the life of this Council terminates from 31st October and this House never gets another opportunity to discuss this question. Therefore we refuse to rely on his

promise and are going to pass this censure motion and also try to throw out the whole grant. If hon. Members on the Treasury Bench feel any responsibility to the public and to this House, they ought to come forward with a clear promise that they would reduce the stamp duties, both judicial and non-judicial, to a certain extent. That would be something. They are making promises year after year and time after time only to be broken like cakes. With these words I support the motion and also make it clear on behalf of myself and on behalf of my party that we are out not only to pass this censure motion, but to throw out the whole demand if the Government do not in time assume an attitude acceptable to hon. Members of this House."

* Mr. MAHMUD SCHAMNAD SAHIB :—" Mr. President, this is a motion tabled just to show the dissatisfaction of the House towards the attitude of the Government on the question of stamp duties. This is a question on which the people feel very keenly. Many poor people find it difficult to file suits on account of the heavy court fees and therefore have to forgo their claims on account of their inability to pay for the court duties. They suffer not only in this manner (A voice : 'Hear, hear') but there is another difficulty also. On account of these high stamp duties people are sometimes forced to undervalue their documents. I myself know that several such cases are happening. If one has to execute a document for Rs. 10,000, he shows only Rs. 1,000. People are forced to do it on account of the enhanced stamp duties payable on documents.

" Several hon. Members have referred to the promises made by Government to reduce the stamp duties as soon as the provincial contributions were remitted. The provincial contributions have been wholly remitted and yet this promise has not been fulfilled. Not only that. Now we have a surplus of over 4 crores and they are still refusing to reduce the stamp duties. Last year also a cut motion was discussed and passed by this House on this question, but no effect has been given to it. In my opinion this amounts to selling justice. Can the Government say that they are not making a profit from stamp duties ? I think they make a large profit from the administration of justice by the sale of these stamps. Under the circumstances I think it is quite necessary that the stamp duty must be reduced to its former level."

* Mr. A. PARASURAMA RAO :—" Mr. President, Sir, this is a matter of congratulation to me that this cut motion has been moved by my hon. Friend, Mr. Muniswami Nayudu, and supported by no less a person than Sir A. P. Patro. In supporting it, Sir Patro had the kindness to charge the Government with breach of faith. I have not known anything else but breach of faith all along from the beginning of my career. From what I know of the working of the Government I have no hesitation in saying that they have been all along consistently and unswervingly committing breach of faith. (Mr. K. V. R. Swami : 'Hear, hear.') Sir Patro, a veteran Councillor, should have known it earlier and much better than myself. He was a Member of the Treasury Bench and I credit him with that experience at any rate. So I fail to understand why he charges the Government with breach of faith now. Apart from that, this demand has been made time and again and I do not know why the Government are impervious. The only explanation which the hon. the Law Member had to give was this : 'I am

new to the place and therefore I could only promise.' That is not an explanation which will satisfy any one. We do not charge any particular individual with this delinquency. We say that the Government as a whole, both reserved and transferred, are responsible. They should not be so very indifferent about a just demand and back out of deliberate promise several times given.

" Under these circumstances, is it not far too much for the hon. Member to say ' I have just now assumed office ; let me gain experience ; and soon after that and so forth.' He may or may not be here afterwards, or something may turn up in the interval, so that he may afterwards say it was not possible for him to carry out the suggestion. There was no attempt on his part to reduce the court fees. At that time could he not have extended his liberality and taken more pains for reducing stamp fees ? When it was in his power to introduce a Bill making it applicable only to certain suits, what prevented him from making it applicable to other suits also ? Apart from this, the question of suits does not affect the richer classes. It affects the poorer classes only. Already we are having complaints about the grinding poverty of the people and that many of them are starving with not even a meal a day. In these circumstances does it not appeal to our hon. Law Member who is generous enough, who has seen the country, because he has been a lawyer for a long time and who knows the condition of the people well, that something ought to be done. It is not enough if he says ' I shall give my serious consideration for this matter.' He may be very serious now but the moment he leaves this place he may not be very serious or other things may engage his attention and he may forget this matter. So what I submit is that he must make up his mind now and now alone. I would say, Mr. President, that Mr. Muniswami Nayudu has thrown out a challenge to the Government and said ' Here is a threat ; for you ; if you do not reduce the stamp duty I am going to press my cut motion relating to 2 lakhs.' I would request Mr. Muniswami Nayudu to translate his words into action and not to withdraw his motion. If he withdraws then he will be showing his cowardice. What he must do is : ' Here is a challenge and I throw my gauntlet ; let anybody take it.' That must be his position. He must not withdraw it. If he does not withdraw, then both sides will be giving their strong support to his motion.

2-45 p.m.

" So far as the reduction of stamp duty is concerned, judicial as well as non-judicial stamps are to be taken into consideration. Most of the speakers that have spoken have dealt mostly with judicial stamps, but I should say non-judicial stamps go a long way to swell the revenues from stamps. There has been an increase in the stamp duty on documents and it is needless for me to tell the hon. Members that it is only the poor people who go in for borrowing. If they have to borrow they have to bear the stamp duty themselves. What is the good of worrying poor ryots who are already indebted to a very large extent ? We have known from statistics that, so far as the registered documents show, these relate to only poor ryots and they have multiplied very many times from what they were 20 years ago. Therefore, is it not reasonable for any person who has the slightest sympathy for the poor people to take some steps to reduce the stamp fees rather than merely say ' I shall give my best consideration to this matter.' The hon. the Law Member may not by himself commit to a particular promise, but what about the other gentlemen who occupy the

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Treasury Benches? They can come forward and say something. For the matter of that the hon. the Finance Member can rise up and say 'On this subject I can give redress immediately.' There is no loss in his committing in that way. At the same time I ask whether at the time of the budget this matter escaped the attention of the Government. In these circumstances I do not see any reason why they should have been so indifferent or callous about this matter. I do not want to use strong language but leave it to the good sense of the hon. the Law Member to realize what he had been saying and promising the people when he was on these benches. I would appeal to my hon. Friend Mr. Muniswami Nayudu not to withdraw his motion but to compel Government to redeem their pledges which they have given in the past."

* The hon. the PRESIDENT :—" Does Mr. Muniswami Nayudu propose to withdraw his motion ?"

Rao Bahadur B. MUNISWAMI NAYUDU :—" I do not."

* Mr. K. V. R. SWAMI :—" Three points were raised during the discussion. One of them was that stamps which are supplied at present are not so good as they were in previous years. In reply, the hon. the Law Member said 'we consulted many experts and all of them were of opinion that the present material is the best material available.' Sir, very often we suffer from expert opinion. My hon. Friend Mr. Ramasomayajulu who has been using these stamp papers very often all these years has remarked 'These are not proper ones.' Then why should the hon. the Law Member say 'I cannot accept your opinion; but I have got experts' opinion and they say the paper that is being used is all right and so I am not going to change it.' As for the value of the stamp paper being charged at As. 3 the hon. the Law Member said as an explanation 'You recommended that these poor copyists may be paid more and that is the cause for keeping the price of copy stamp paper at a higher rate.' All that the copyists are getting is only Rs. 20 at present and they have been agitating for a long time for increase of pay. They have been crying that they must be given at least the minimum salary which a clerk is drawing, viz., Rs. 35. That has been denied to them. They have also been crying that their services have not been made pensionable. We are told that there is a large income from stamps and yet the Government say that they cannot increase the salaries of the poor paid copyists. They add that the salary they could give is only Rs. 20.

" Mr. President, the present hon. the Law Member is a novice in these matters. He has not got into his position as other gentlemen. He knows full well about the conditions of the people and also the litigant public. He used to lead the House in the Opposition. He charged the Government in those days for not keeping up their promises in this matter. He knows there has been a considerable feeling about this in the country that the increased stamp duty should go. But when the stamp duty was increased in the year 1922 he and his party voted for this. During the two budget meetings member after member of this House urged only two points. These were for total prohibition and for the decrease of stamp duty. These are not attended to and now and then we are threatened with other taxation. My hon. Friend the Law Member cannot be ignorant of this. I do not think for a moment the Law Member did not bring this matter before the Cabinet at all. I think it must have been brought before the Cabinet but defeated. There is no use of

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saying 'I will give my best attention to the matter.' The hon. the Home Member who was in charge of this assured this Council that he would certainly see that this enhanced rate was reduced, as soon as the contribution to the Central Government was remitted. That has come and the whole of that amount has been spent and digested. But nothing has been done in this direction. Now we have got a surplus of 1 lakh of rupees and that is going to be paid for the old debts. Under these circumstances we cannot but support the motion before the House. We have got the assurance of other friends from those benches below the gang way that they would give their support to this motion. If a charge comes even from that block, then the Government must feel that there is something really wrong. And if even people like my hon. Friend Sir A. P. Patro were to charge the Government on this matter, then the Government must think that there is something serious about this matter. They have taken the money from the people on the distinct promise that as soon as they got provincial contribution remitted they would decrease the enhanced stamp duty. They are merely promising that they would decrease the stamp duty.

"A sum of Rs. $3\frac{1}{2}$ crores was consumed by the Government and this matter has not been attended to. I hope my friends of the Justice party would help in this matter by voting against the whole grant and thus show faith in the words they have uttered this afternoon." 3 p.m.

* The hon. the PRESIDENT :—"The question is 'to reduce the allotment of Rs. 2,36,200 for Stamps by Rs. 100.'"

The motion was put to the House and carried.

* Mr. C. V. VENKATARAMANA AYYANGAR :—"Mr. President, Sir, I move the cut motion standing against my name—'to reduce the allotment of Rs. 5,300 for charges for the sale of stamps by Rs. 100.' My object is to discuss the desirability of raising the maximum price of stamps sold by stamp-vendors. I do not want to say much on this subject as this is an old question, but I want the hon. the Law Member to say what has been done in this matter. The value of stamps to be used by the public has been raised. If a man wants to purchase stamps for a sale of Rs. 1,000 he cannot purchase them from a vendor, as the latter can sell them at a time only for Rs. 50. Therefore in the ordinary course of things the value of stamps that can be sold must be raised to Rs. 75. Instead of doing so, the Government are simply continuing the old practice and the people are put to very great inconvenience. I would like that the hon. the Law Member should tell us what has been done in the matter, but not keep quiet, allow the cut to be made and say 'we do not care because it is only a sum of Rs. 100.' That has been unfortunately the attitude of the hon. the Law Member. I therefore request him to reply on this matter, whether anything has been done, whether the Government intend to take any action and if so, to what effect."

* Mr. K. R. KARANT :—"Sir, I beg to second this motion. During the discussion of the budget last year my motion to see that court-fee stamps up to Rs. 100 are made available from stamp-vendors was passed by this House. So far as I know, nothing has been done till now by the Government in this matter. At any rate I am not aware of it. I hope that the hon. the Law Member will state what action has been taken on this matter and whether stamps will be made available for sale to the public through vendors up to Rs. 100 and not up to Rs. 75 as stated by the previous speaker. . ."

* The hon. the PRESIDENT :—" It should be 'raising the *maximum* price of stamp'."

* Mr. K. R. KARANT :—" Stamps only to the value of Rs. 50 are being sold now . . ."

* The hon. the PRESIDENT :—" The words should be 'the maximum price of stamps sold by stamp-vendors.' There is some mistake in the wording of the motion."

Mr. C. V. VENKATARAMANA AYYANGAR :—" It must be my mistake or that of the office."

* The hon. the PRESIDENT :—'The Assistant Secretary says he is not able to ascertain the fact."

* The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Orders have been issued, Sir. They will take effect from the 1st of April and the stamp-vendors will be allowed to sell stamps to the value of Rs. 100. The orders will continue in force for one year. We shall reconsider the question at the end of 1929-30. For the present, orders have been passed and the order will come into force from 1st April."

Mr. C. V. VENKATARAMANA AYYANGAR :—" Both court-fee stamps and stamps for documents."

* The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Yes ; both kinds of stamps."

Mr. C. V. VENKATARAMANA AYYANGAR :—" I beg to withdraw my motion."

The motion was, by leave, withdrawn.

* Rao Sahib L. C. GURUSWAMI :—" Mr. President, Sir, I move the following motion standing against my name, viz.—

> '*that the allotment of Rs.* 5,300 *for charges for the sale of stamps be reduced by Rs.* 100.'

" My object is to urge on the Government the desirability of permitting the appointment of two or three stamp-vendors in convenient centres of each municipal division in Madras for the convenience of the public. I wish to invite the attention of the Government to the fact that stamps, judicial and non-judicial, are not available with all the stamp-vendors. Instruction should be issued that unless the stamp-vendor has a stock of all kinds of stamps both judicial and non-judicial for being sold to the public licence or permission would be withdrawn. People applying for stamps to certain stamp-vendors in the city have to return disappointed at present. I am also of opinion that the quality of the copy stamp papers now supplied to stamp-vendors is inferior to those supplied formerly. I should like to know whether it is not possible to get a better quality of stamp paper for the 3 annas price."

The hon the PRESIDENT :—" The matter has been disposed of."

* The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Sir, I do not quite understand the complaint of my hon. Friend. As a matter of fact, now there are four salaried stamp-vendors in the City of Madras in different parts. The Government have received no complaints, so far, that the number of stamp-vendors is inadequate for the purpose of supplying the needs of the public. But inasmuch as my hon. Friend has brought this fact to the notice of the

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Government, I shall make enquiries as to whether there is any foundation for the complaint."

Rao Sahib L. C. GURUSWAMI :—" I beg to withdraw my motion "

The motion was, by leave, withdrawn.

* Mr. J. A. SALDANHA :—" Sir, I should like to move the cut motion standing in my name with a brief speech, viz.—

'*that the allotment of Rs. 48,000 for charges for the sale of stamps be reduced by Rs. 100.*'

" My purpose is to condemn the delay and sale of justice and its defeat by employment of process-servers and amins too low-paid and too lowly treated and a jury system of low order. . . ."

* The hon. the PRESIDENT :—" I am trying to understand how this matter is relevant under the demand of *Stamps*."

* Mr. J. A. SALDANHA :—" The subject will come under Court-fee stamps and Administration of Justice."

* The hon. the PRESIDENT :—" I request the hon. Member to give notice of a suitable amendment under ' Administration of Justice '."

* Mr. J. A. SALDANHA :—" I have given notice of a motion ; I do not know whether it will be reached."

* The hon. the PRESIDENT :—" The hon. Member is not in order to make this motion now.

" The question is ' that the Government be granted a sum not exceeding Rs. 5·87 lakhs minus Rs. 100 under Demand III—Stamps."

The motion was put and declared carried.

A poll was demanded and the House divided thus :—

Ayes.

1. The hon. Sir Norman Marjoribanks.
2. ,, Khan Bahadur Sir Muhammad Usman Sahib Bahadur.
3. ,, Mr. T. E. Moir.
4. ,, Diwan Bahadur M. Krishnan Nayar.
5. ,, Mr. M. R. Seturatnam Ayyar.
6. ,, Mr. S. Muthiah Mudaliyar.
7. ,, Dr. P. Subbarayan.
8. Mr. Hilton Brown.
9. ,, H. A. Watson.
10. ,, C. A. Souter.
11. ,, S. H. Slater.
12. ,, A. McG. C. Tampoe.
13. ,, C. W. E. Cotton.
14. ,, V. Ch. John.
15. ,, M. A. Manickkavelu Nayakar.
16. Syed Tajudin Sahib Bahadur.
17. Mr. C. D. Appavu Chettiyar.
18. ,, H. B. Ari Gowder.
19. ,, A. B. Shetty.
20. ,, J. Bheemayya.
21. ,, J. A. Davis.
22. ,, R. Foulkes.
23. ,, P. J. Gnanavaram Pillai.
24. Mahamud Schamnad Sahib Bahadur.
25. Mr. Muppil Nayar.
26. Zamindar of Singampatti.
27. Mr. J. Kuppuswami.
28. Subadar-Major S. A. Nanjappah Bahadur.
29. Rao Bahadur O. M. Narayanan Nambudripad.
30. Mr. T. M. Narayanaswami Pillai.
31. ,, K. Krishnan.
32. ,, N. Siva Raj.
33. Rao Sahib L. C. Guruswami.
34. Mr. V. I. Muniswami Pillai.
35. ,, W. P. A. Soundara Pandia Nadar.
36. ,, S. Subrahmanya Moopanar.
37. ,, S. Venkiah.
38. ,, H. Hampayya.
39. ,, C. E. Wood.
40. ,, F. E. James.
41. ,, S. N. Dorai Raja.
42. ,, S. Arpudaswami Udayar.
43. ,, K. Ramachandra Padayachi.
44. ,, U. Ramaswami Ayyar.
45. ,, G. R. Premayya.
46. Swami A. S. Sahajanandam.
47. Rao Bahadur C. S. Ratnasabhapati Mudaliyar.
48. Rao Bahadur Sir A. P. Patro.
49. ,, S. Ellappa Chettiyar.
50. Khan Bahadur Abdul Razack Sahib Bahadur.
51. Muhammad Khadir Mohidin Sahib Bahadur.
52. Diwan Bahadur S. Kumaraswami Reddiyar.
53. Khan Sahib T. M. Moidoo Sahib Bahadur.
54. Rao Bahadur K. Sitarama Reddi.

Noes.

1. Mr. P. C. Venkatapati Raju.	13. Mr. K. R. Karant.
2. ,, R. Srinivasa Ayyangar.	14. ,, K. Madhavan Nayar.
3. ,, Sami Venkatachalam Chetti.	15. ,, P. Anjaneyulu.
4. ,, S. Satyamurti.	16. ,, A. Parasurama Rao.
5. ,, C. V. Venkataramana Ayyangar.	17. ,, C. Ramasomayajulu.
6. ,, J. A. Saldanha.	18. ,, T. Adinarayana Chettiyar.
7. ,, G. Harisarvottama Rao.	19. Sriman Biswanath Das Mahasayo.
8. ,, Abdul Hameed Khan.	20. Mr. A. Kaleswara Rao.
9. ,, L. K. Tulasiram.	21. ,, C. N. Muthuranga Mudaliyar.
10. ,, K. V. R. Swami.	22. ,, Muhammad Meera Ravuttar.
11. ,, D. Narayana Raju.	23. ,, C. Venkatarangam Nayudu.
12. Dr. B. S. Mallayya.	24. ,, K. S. Sivasubrahmanya Ayyar.

Neutral

1. Mr. A. Ranganatha Mudaliyar.	3. Mr. K. P. Raman Menon.
2. Diwan Bahadur R. N. Arogyaswami Mudaliyar.	4. ,, T. C. Srinivasa Ayyangar.
	5. ,, R. Nagan Gowda.

Ayes 54. Noes 24. Neutral 5.

The demand was carried and the grant made.

DEMAND IV—FORESTS.

*The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Sir, on the recommendation of His Excellency the Governor, I move—

'*that the Government be granted a sum not exceeding Rs.* 41,33,000 *under Forest.*'

*Mr. D. NARAYANA RAJU :—" I move, Sir—

'*that the allotment of Rs.* 37,53,200 *for Forest—India and England—be reduced by Rs.* 100.'

" I propose this cut mainly to record disapproval of the Forest Policy of the Government. I am sure, Mr. President, that many words are not needed on my part to commend this motion for the acceptance of the House. Only a few months ago there was a full dress debate on a resolution on the subject moved by my hon. Friend, Mr. Karant.

3-15 p.m.

" In connexion with that debate the hon. the Law Member stated that the Government were examining the policy, but the House was not satisfied with that explanation and that resolution was unanimously passed by this House. Still the Government do not respect the wishes of the House. That resolution asked for the appointment of a committee with regard to the forest grievances of the ryots, but the Government did not respect the unanimous wish of the House embodied in that resolution. In spite of the explanation of the hon. the Law Member the passing of that resolution shows the feeling of the public regarding the administration of the forests Forest is no doubt a great national asset and it was anticipated that Government would take proper care of the various forests in the Presidency, but at present they are not administered properly. If properly conserved and administered, I am sure they will be made more remunerative to the people of this Presidency. The Government are not now looking to the convenience of the people at large On the other hand, their administration of the forests is a source of great harassment to the people living near the forests. For one thing, the Forest department is top-heavy and the expenditure also is on an extravagant scale. There is much scope for reduction of the expenditure on this department and for making it more remunerative. As a matter of fact, in

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other provinces of India Forest department is more remunerative. Moreover, the profits earned by the Government from the forests are also very very small. There are several grievances of the people in regard to the facilities, in regard to fuel and in regard to wood for agricultural implements for ryots. In regard to all these matters there are very grave defects in the administration of the forests and there is much scope for improvement. All these things were brought to the notice of the Government in connexion with the debate to which I referred just now.

"Another great defect at present experienced by the public is that the forest administration is a source of great harassment. All the servants of the department exercise all sorts of zoolum against the people and they give any amount of trouble to the ryots living near those forests. The only improvement which the Government sought to effect in their forest administration in recent years was the establishment of forest panchayats in certain parts of the presidency, but these panchayats are not given adequate powers. With regard to permits that these panchayats can issue there is a limit imposed and with regard to their income also there is a limit imposed by Government, but there is no scope left for them to take any initiative in the matter. With regard to expenditure also, they have to contribute much to Government, so much so, very little is left for these panchayats to properly look after the forests entrusted to their care. Whenever they want to improve the forests, they find it impossible to do so on account of want of funds. For instance, if they wish to dig a tank for the cattle to drink water from, they are handicapped for want of funds, because their income is very much limited; they cannot increase it, because the number of permits that they can issue and the rate at which they can issue them are restricted by the rules made by the department.

"With regard to the offences that these panchayats can deal with, they have not got adequate powers. For instance, if they recommend that certain offences should be compounded, they are turned down by the forest administration and are not accepted. Under such circumstances, the panchayats find it very difficult to look after the forests entrusted to them. If the Government really want that these panchayats should become popular they must be given powers and their recommendations should be accepted. With regard to income and expenditure these panchayats should not be tied down by the rules of the department and more panchayats should be introduced in several other districts where they do not now exist. The present policy is not at all satisfactory and I hope it is the unanimous opinion of all those who have had anything to do with forest administration."

* Mr. T. Adinarayana Chettiyar :—"Mr. President, Sir, in seconding this cut motion I do not think I need offer many remarks. The forest administration has been almost a scandal in this province. With unparalleled resources the Government of Madras have been able to show only very poor results indeed as regards their forest administration. Of course this year, there is a slight increase in revenue, but may I ask the Treasury bench at what cost to the ryot, is this extra money realized? Therefore, I do not think that the Treasury bench will take credit for having slightly increased their revenue under the head 'Forests' this year. The poorest of the ryots, hard-worked and famished ryots contribute to this extra income for which the Government ought not to feel proud. On the other

hand, they ought to be really ashamed. My predecessor has described graphically the hardships experienced by the people at the hands of the forest subordinates. I need not dwell on that aspect further, but this much I must state : while under the Forest Act and on paper they make out that forests are intended to benefit the ryots for all their natural requirements of domestic and agricultural operations, such as timber for house-building, manure leaves for cultivation, and timber for plough-shares and other implements the only thing which the poor ryots who happen to be living near those forests get are prosecutions, forfeitures, compounding fees, which literally impoverish them. If the occupants of the Treasury benches were to witness the trials of forest cases in any second-class magistrate's courts in the mufassal they will notice the number of ryots without even kanjee, coming ill-clad and having to pay heavy fines or suffer imprisonments. It is really heart-rending to see them. But I know the members of the Treasury benches shut their eyes to these trifles. Sir, there is the usual rule that for a mile or so, the forest line ought not to be near the village. May I ask the Treasury bench whether they know that in thousands of villages this rule is not at all observed, with the result that cattle just leaving the ryots' hut have to resort for their bare sustenance to nothing but the adjoining forest land and once they enter the forest, the ryots find themselves in the tentacles of these forest subordinates. That is often the end of the ryot.

" Sir, as regards forest administration, other speakers have laid emphasis on the fact that it is top-heavy and that it is top-heavy without any justifiable reason. In the annual administration reports of the department they say that very large slices of reserved forests have gone to the panchayats for management. Then, Sir, is it not logic that when the panchayats have been given large slices of forests for management the departmental staff ought to be retrenched, but where is the retrenchment? On the other hand, the budget figures, in the bulky volume are eloquent of the princely salaries afforded to higher officers, especially these specialists and exploitation officers. Sir, I shudder at the word 'exploitation', because one possible meaning of the word seems to be exploitation at the expense of the poor ryot. Sir, these exploitation officers and the 'supernumerary' officers, their very designation is a commentary on their unwantedness. But, if money is wanted for the rangers—and the rangers have been meeting year after year in conferences and are pointing to their ill-filled stomachs—there is no money to increase their salary. Not only that, these Exploitation officers are appointed for no known qualifications whatever. For every other department, there is a circular about Brahman and Non-Brahman or some such communal test, but for these princely officers of the Forest department, they are all only of one community, that is the 'foreign exploiter'. There is no question of Brahman or Non-Brahman, Hindu or Muslim or Christian or anything of the sort, but anybody who has some experience, real or imaginary, in Phillipines or in some other part of this wide world is quite qualified to 'exploit' the forests.

" After the introduction of the system of commercial accounts, year after year, there is loss and heavy loss which the ryot has to bear. Moreover, some of these branches of exploitation are started without the necessary enquiry. For instance, let us take one of the latest exploitations, namely, box-making. What national industry is that ? Is that intended to benefit

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the ryot by the manufacture of these boxes? No, it is to supply the demand of tea-planters who are already making princely incomes in the London market—for to-day tea cultivation is the most paying industry in the whole world. It is only to help those planters that you started this industry, which may involve Government—I do not want to pose as a prophet--in huge losses. Take again the exploitation started near Olavakote, Chenat Nair Forests and others. Sir, for the first one or two years they can show profit. These logging engineers may show profit. But, they do not contemplate that after working the forests which are near the railway line and when they go really into the interior of the forest making expensive roads for hauling the huge machinery to the very depths of the inaccessible forests, they will find that it will involve Government in very heavy losses coming up to perhaps crores. In the Anamalais, I think, some thousands were spent on new roadways in connexion with the production of 'sleepers'.

"As regards railway sleepers, we know when the Russellkonda saw-mill sleepers were offered in the Calcutta market, they would not sell, but the sleepers imported from other and distant countries after paying freightage were able to be sold cheaper than the Russellkonda products.

3-30 p.m.

"As regards the advantages which the ryots naturally expect out of the forests, even the most elementary ones like that of having green manure leaves at a moderate cost has been denied them. Even for the dry districts like North Arcot and Cuddapah Government tardily realized the need in this respect. A Government Order was issued in 1927, I think, which remains a dead letter to this day. Sir, coming to the panchayats they have been placed under Revenue Department. Nothing can be a more fatal mistake than that of placing these forest panchayats under the Revenue Department. In several places there was no fuel difficulty felt till this transfer was effected. These panchayats have brought in their trial inefficiency with the result that where there was no scarcity of fuel in North Arcot district, for instance, especially in Tiruvannamalai, the scarcity of fuel is very keenly felt to-day. The sooner these panchayats are taken away from the control of the Revenue Department and placed under the superintendence of the Forest Department the better, for the Revenue officials lack the technical knowledge necessary to work the coupes according to the plans of the Forest Department. Further, neither the panchayats nor the Revenue officials have knowledge of 'conservation' and 'regeneration' which are so vital for the preservation and utilization of our vast forest wealth. Sir, I need not repeat that the present system is a top heavy administration and that it should be retrenched, I hope Government will realize the many defects of their forest administration and set them right to the great benefit of the ryots and to that of Government as well since an efficient and economic administration of the department would yield a larger revenue to the Government which can be devoted for the good of the ryots in the Province."

* The hon. the PRESIDENT :—"The question is to reduce the allotment of Rs. 37,53,200 for Forests by Rs. 100."

* Mr. G. HARISARVOTTAMA RAO :—"Sir, I rise to support this motion for reasons so well known to this House. The policy of Government in regard to our forests has been of the same type as the policy pursued in other departments of this bureaucratic Government. In the first place no clear cut

ideas are entertained as to the policy that must be pursued in reference to the interests of the ryots concerned. Generalizations are sometimes indulged in in Government publications that the interest of the ryots are being considered. But those generalizations are never specifically and carefully examined and no provision has ever been made for the benefit of the ryot. I am referring to a change that has taken place recently in the forest policy. But even in coming to that change there was no conscious attempt to realize the difficulty of the ryots. The change arose out of a desire for retrenchment in 1923. Mr. R. D. Richmond was appointed to suggest retrenchment. At that time he advocated the reclassification of the forests In 1924 a conference of the conservators took place and they wanted to divide forests into provincial remunerative, provincial unremunerative, local or ryots forests. Later on Mr. Whitehead, who was probably the most sympathetic man who considered that question, wanted to classify the forests into three separate divisions. He wanted to retain the first group permanently under the direction of the forest administration ; into the second group he put all that may be handed over to the panchayats ; and into the third all that may be handed over to the ryots immediately. Government did not agree with this settlement, especially with the second-class forests. They wanted that the whole problem should be settled once for all and they believed that the panchayats were in a position to take over all they wanted to give them. This was merely, as it appears to me, an excuse to postpone it so that the classification of Mr. Whitehead, till he retires, might be shelved. Committees were formed with some non-offiials, Collectors and District officers went into the bargain as members. The recommendations of the non-officials were not taken up. And so what was originally classified as class 3 by Mr. Whithead was conceded as ryots' forest. Now, Sir, all these changes did take place between 1923 and 1926. During these years panchayats were being formed, literally at the point of the bayonet. People knew that their interests were not at all going to be benefited ; but still the officers of Government went about and set up panchayats under threat of coercion. I am referring to G.O. No. 499, Development, dated 21st March 1924. It runs as follows : 'The villagers adjoining the said reserves will once for all be warned by publication in the village that unless panchayats are formed by the end of the current fasli year the rates will be enhanced from 1st July 1924.'

"With this coercive process in the hands of the Government agents the formation of panchayats was attempted to be brought into existence. But in forming the panchayats Government did not take care to avoid the pitfalls of which they had already sufficient experience in the formation of panchayats for judicial purposes after the introduction of civil courts into this country of the British type. Villages have been torn asunder by party cliques and a great deal of party spirit which you see now in the villages is due to this system of courts. To encourage the forest panchayat system Government agents went about the villages, called one man or another, even in the teeth of opposition, a farce of election was made and a mock panchayat was formed. The forest panchayats were formed at first by the Panchayat Officer. But later on the Deputy Tahsildar and those in the lower rungs did it, and so no wonder we hear of so many complaints about the mischief wrought by these lower officials."

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* Mr. A. RANGANATHA MUDALIYAR :—" On a point of order. Can the hon. Member discuss in a discussion of the forest policy of Government the formation and working of the forest panchayats ? "

* The hon. the PRESIDENT :—" The hon. Member is referring to the formation of the forest panchayats and it forms part of the main topic."

* Mr. A. RANGANATHA MUDALIYAR :—" Sir, the head under which the provision for forest panchayats appears is quite different and there are two distinct cut motions on this specific question and I want to know, when it is so, how he can deal with it here ? "

* The hon. the PRESIDENT :—" The whole forest policy of Government is under consideration. He is now referring to the exploitations of the forest officers. . ."

* Mr. A. RANGANATHA MUDALIYAR :—" The two heads are different and there are two cut motions given for the specific purpose. When all these questions are allowed to be discussed under ' general policy,' I do not know what the vote, one way or the other, will be taken to indicate."

* The hon. the PRESIDENT :—" If the hon. Member feels a decision of the House on those two cut motions is necessary it is open to him to move for a closure."

* Mr. G. HARISARVOTTAMA RAO :—" Thank you, Sir, for the ruling. I was referring to the fact that the forest panchayats were being formed at the point of the bayonet and the formation of the same was handed over to the Deputy Tahsildars. When I put a question in this House about the conduct of a Deputy Tahsildar the Government were unable to give the information ; but they went on asserting certain things in spite of assertions to the contrary.

" Now, Sir, with regard to these panchayats they have neither the power nor the constitution to carry out their work properly. Of their powers the hon. Mover has spoken. In addition to what he said I want to say this, that these panchayats have neither rules nor is there any legislation on the matter to guide the people. As a matter of fact questions have been put on the floor of this House on this point and we were able to elicit only one answer and that is that a Board's Standing Order is being prepared. Beyond that we have known nothing about it. If I have spoken at length on this subject it is to point out the immediate need for legislation. A great deal of forest area has been handed over to the forest panchayat and the latest administration report shows that the handing over of the forests to the panchayats will be complete very soon. Under these circumstances the policy having changed with regard to the forests, the policy of the Government should be to look ahead and see that legislation is undertaken so that abuses may be cured, if not avoided. You start without specific rules with the result that lower officials tyrannise and under the guise of protecting the prestige of administration you do not correct these tyrannies, even though you may be cognisant of them, all the while telling that all is for the good of the people. For instance there is the third chapter and it applies to lands which are not under the forest administration. The forest panchayats are under a double handicap ; and they have to serve two masters.

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"In October last I sent an amending Bill and it was said that it requires the sanction of the Governor and the Governor-General. The sanction was applied for and where the matter stands now I am yet to know. Now, Sir, I come to the specific administration of the law and the policy pursued in that administration. The policy that was laid down in a particular Government Order with regard to Kurnool district I take as a specific illustration. For instance complaints have arisen on account of the closeness of the reserve forest areas from the villages, and this closeness was a matter of complaint as long ago as 1923 and 1924. In 1925 a Government Order was issued, G.O. No. 244, and in that the Government undertook to remove the boundary lines farther away from the villages. As recently as 1925 I asked a question on this point and I found that except in 1924, that is, before the Government Order was issued, there was no attempt made to remove the boundary lines in the Kurnool district.

3-45 p.m.

"That was the way in which Government gave effect to the agreement that it came to in view of a committee sitting to enquire into the grievances with regard to the forests in that district. Later on the hon. the Law Member was kind enough to ask me to look into the files. I looked into the files and found that even in 1924 there was only something done with regard to a few villages, four or five villages. In 1923 also four or five villages were affected by orders made in that behalf. Beyond that nothing was done, and it is five long years now. During all these five long years what all has been done is to give me the reply that about 250 villages within a mile of reserve boundaries."

* The hon. the PRESIDENT :—"For the convenience of his colleagues the hon. Member may make a distinction between administrative details and forest policy."

* Mr. G. HARISARVOTTAMA RAO :—"I am talking of the policy with regard to every question that affects the ryot. These are the policies that have been laid down in Government Orders. In answer to another question I elicited that there were twelve villages within half a mile from reserve forest boundaries. So what the Government undertake in the Government Orders is a dead letter.

"We now come to the policy pursued in regard to the subject of agricultural implements of the ryots. The policy pursued in that behalf is a crying evil. It is such a tyranny that people are not able to bear it. As a matter of fact in that particular Government Order that I was talking of it was contended that agricultural implements were being provided for in certain depots, as a policy for a length of time. I drew attention on the floor of this House of the hon. the Home Member, who was at the time in charge of Forests, to the fact that in those depots no instruments were available. Out of these eleven depots in five there were not even as many as two or three instruments. Later on what happened was this. Instead of extending the facilities for the manufacture and sale of agricultural implements, what the Government have really done is this. They have contracted such facilities. They merely said 'We shall abolish all these depots. We shall leave the men at the mercy of the contractors. Even where there are depots, we will manufacture some little number to-day and to-morrow we shall ask the ryot to make an indent for such implements as he wants, and on receipt of that indent we shall begin to manufacture agricultural implements'.

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These depots are the most inconvenient places for the ryots. And the policy of the Government in this respect is so grinding upon the ryot that he has no other course left open to him except to break the law and suffer the consequences and get the implements as best as he chooses and deplete the forests. I warn the Government that in the name of conserving forests, they are depleting the forests, destroying the forests, as long as they do not revise their policy.

"There was another question that I raised, that relating to grazing fees and penning fees. The penning fees policy has been very badly felt by one of the ex Law Members, the hon. Mr. Campbell. During the budget discussion in 1928, I raised the question and when I referred to the matter he was surprised that there was a penning fee of 8 annas on every head of cattle. He asked 'Is it not on every hundred head of cattle that a fee of 8 annas is levied?.' Thereupon I told him that it was not so, and he said he would enquire into the matter. The enquiry has now been held and I have been now told very strangely that additional fees charged for sheep, cows and buffaloes other than local cattle are not for actual penning but are added on for the privelege of better grazing. This is what the penning fee has developed into. The policy that was enunciated in regard to the penning fees is to-day given up. A distinction was made between local cattle, that is, cattle of the district and foreign cattle, and penning fees were charged in view of cattle not being local. But to-day there is a distinction sought to be made to escape from the awkwardness which the hon. the Law Member at the time was bound to feel as a human being and did feel as a human being in his heart of hearts. To escape from that predicament the Government have come forward now with an explanation which is, to say the least, very strange indeed. This is, I am afraid, a pretext to have more money.

"And then the policy followed with regard to the grazing fees is equally bad. After the introduction of the panchayats the policy has worked worse. The Government have always denied the right of the people to demand and to have a reduction of the grazing fees. Even for the most barren parts of the Kurnool district, namely, the Yerramalais, even in the most barren part of any portion of the Yerramalais where there is nothing except bramble, where nothing can possibly grow, the fee of eight annas has been insisted on. It has been insisted on so much that forest panchayats, after their formation, did not know that they had a right to levy their own grazing fees. The Deputy Tahsildar did not inform the forest panchayats that they had a right to go about and levy grazing fees as they decided though the areas under the forest panchayat was not more than a four hundred acres. As a matter of fact, when the areas were not transferred to forest panchayats the ryot could go into the whole range as also into the adjoining range. It is only in rare cases that exception has been made and that too very latterly.

"Turning to the question of fuel on which much complaint has arisen, it has been consistently followed by the Government as a policy that all dry twigs and dry pieces of wood in the forest should be burnt. An answer given to an interpellation on the floor of this House was this that if men are allowed to take headloads of firewood from the forests they would commit offences. Are you not dealing with the other forest offences to-day? You may have to deal with offences. Because you have to deal with offences,

you should not deny the right of the people to get fuel from the forests, to get dry twigs. To allow these twigs to be burnt is a wonderful phenomenon that can be upheld only under this Government. Moreover, what arrangements have been made for the fuel of the ordinary ryot who can buy only one anna worth or half an anna worth of fuel? No arrangement exists at all for the poorer man, and in the Kurnool town to-day there is a cry that fuel is selling at two maunds a rupee. You have made it very dear. It has become a rarity. Though forests are very near and though dry twigs are so very plentiful in the forest, fuel is so costly.

"Then, with regard to the cultivable areas in the forest districts, the policy that is followed is a policy of tyranny once again. When we come to the question of reservation of lands for the depressed classes, the Government have been kind enough to make a provision in every village to reserve lands for the depressed classes. I am not fighting against it; on the other hand, I am glad that they have done it. But when we come to the question of disafforestation of lands for the poor ryots of the villages, the policy that they are following is peculiarly unfortunate. It is peculiarly tyrannous. As a matter of fact, in my district there have been a number of applications that have been sent to the Government and to the forest authorities for disafforestation of areas where nothing of forest produce grows, where the ryot can have his living and where the ryots in the adjoining villages are very poor and have nothing to rely upon. When such applications are sent to the authorities, the answers come that they have made provision in Diguvametta. Ryots are asked to migrate from the Sirvel taluk, from the Markapur taluk and other distant places which are at the extreme end of the district. They seem to ask 'Why are you asking us to disafforest something near at home?'. This is a peculiarly fantastic way of administering the policy in regard to the forests of our country (Hear, hear).

"Now, Sir, reference has been made to the fact that this House asked for a committee to investigate into these matters. There is a great deal to be investigated into and the hon. the Law Member would really have achieved something if he had accepted the resolution of this House and formed a committee to enquire into the grievances of the ryots, and to overhaul the whole forest policy. This morning in answering a question, the hon. Member said that he was considering the whole policy and that a questionnaire was sent to somebody. But here is a responsible House voting for a committee, and the hon. the Law Member goes about disregarding that resolution of the House. He frames a questionnaire. What that questionnaire contains, nobody knows. The questionnaire is circulated to somebody who is nobody probably except in the official circles. The ryot does not know what the Government are going to do or propose to do. At a later stage the hon. the Law Member may come forward with his own suggestions, with his own new-formed ideas, with his own prestige behind him, and the ryot will have no redress at all as against the prestige of the Government. We have seen and known what the policy has been through all these years. And if the hon. the Law Member were really in earnest about our forest policy on which he was speaking a great deal when he was on the Opposition benches, he should have done something tangible and accepted the resolution of the House. I shall not quote him because quotations on matters that he spoke about when he was on the Opposition side have no influence on the Treasury benches. He was on the Opposition and

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he knows the difficulties, and if he really intended to do good to the people, he ought to have taken up the resolution of this House and accepted it; he ought to have formed a committee and ought to have taken up immediately the revision of the law on the subject of the rights of the people, ought to have enquired into the whole question in a fair way and he should not have gone about saying that he had issued a questionnaire to somebody, to some technical people, to some Government officers and to some toadies. I have not much more to add, Sir. I see that my friends themselves are a little weary, and apparently they want me to finish. (Voices: 'No, no.') I have nothing more to add except to say that the Forest department is really the most oppressive department among the departments of the Government to-day. There is no question about it. The forest law is one of the worst laws in this country. Not because I disdain to take the dictum that forests should be conserved. If the Government have come to the decision that the ryots must be conceded their rights, that the ryots must be allowed to manage their own forests, if the Government agree to that principle, and if they also agree to the principle that conservation should be effected only in such forests as are necessary for the development of industries and commercial undertakings, that probably the Government had in its mind when it kept certain forests to itself, they have really conceded one point of view. As a matter of fact, I have come to understand that a person possessing the title of a Raja hereditarily or personally bestowed, that this particular Raja wanted reservation of important and valuable forests in his area, and he was told by the Government that he would not be allowed to have that reservation because the ryots' interests have to be safeguarded. I am glad to that extent that this sympathy has been shown. And I should have been gladder still if the Government had pointed out to him that they would investigate into the matter and render him such assistance only for the best forests in his area, leaving the rest to the ryots. They have not chosen to do that. They have chosen in that case to protect the interests of the ryots so far. Why should they not protect the interests of the ryots in their own jurisdiction as much as they want to protect the interests of the ryots in the zamindari. Simply because they have power in that area, they do not want to forgo that power; simply because they have prestige to protect, they do not want to forgo that prestige; it is in the selfish interest to hug on to power that may be used to coerce the people, to suppress the people and to use the people for purposes of their own that they decline to concede what we have demanded.

"I therefore feel that immediate attention has to be paid to the subject and that non-official opinion has to be taken beforehand at every stage, so that the whole forest policy may be changed in consonance with the best interests of the ryot." 4 p.m.

*Mr. A. B. Shetty:—"Mr. President, the grievances of the ryots living in the vicinity of forests have been brought again and again to the notice of the Government in this Council as well as in the previous Council on occasions of budget debate and on other occasions. As a result of many representations made in this Council, instead of showing more sympathy and trying to meet the wishes of the people, I am sorry the Government have been in some places withdrawing even the concessions already given. With reference to my own district I can speak with some knowledge in regard to the forest grievances. The damage done to crops and the havoc done to cattle by wild

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beasts is one of such grievances. The Government instead of trying to help the people by giving more rewards for the destruction of wild beasts have been putting restrictions in the matter of giving rewards. The number of cattle killed has been going on increasing in recent years, while the number of rewards has been going on decreasing. The Collector of South Kanara has explained this as due to the instructions issued by the Board of Revenue to the effect that rewards are given only in deserving cases. It is not known what is meant by 'deserving cases.' Again, they have put restrictions in the matter of allowing people to hunt in reserves. Formerly people were allowed to hunt merely by getting the permission of the forest ranger in the area concerned; whereas now they have to get the permission of Divisional Officer. It is said they want to prevent indiscriminate killing of wild animals: It is difficult to know what is meant by this. Concessions given to people in the matter of removing fuel and leaves for manure, etc., are also threatened to be withdrawn on the coastal reserves on the alleged ground that these concessions have been abused.

"Then, with regard to panchayats, I understand from the administration report that, up to the end of March 1928, 3,353 square miles of forests were handed over to 1,130 panchayats. In the whole district of South Kanara there are said to be no forests suitable for ordinary panchayat management. We have in our district what is known as forest village system and there were only ten panchayats in 1926–27. In 1927–28 they inserted a new condition in the agreement to be executed by these panchayats. This was for the purpose of making the panchayats responsible for clearing and fire, tracing the exterior lines of the reserves at their own cost. The panchayats have no source of income of their own. As a result of the new condition thus imposed, four of the panchayats refused to sign the agreement and for some other reason another panchayat also declined to enter into the agreement so that we had only five panchayats at the end of last year, 1927–28. Now, the Government of India in 1894 issued a circular laying down the policy which should be followed in the administration of forests and they made it clear in that circular how it should be directed so as to serve agricultural interests. In 1927, during the Budget debate, the hon. the Finance Member said that the Government do not regard the Forest department as merely a revenue-making department, but that they always remember that the main object of the department is to supply the needs of the people, such as fuel, timber, pasture for cattle, etc. But this policy is not carried out in practice in the way we expect. The interests of the ryots living on the margin of the forests are affected a great deal by the forest policy. The Agricultural Commission has rightly recommended that forest officers, when they are first appointed, must undergo a course of instruction at an agricultural college because as they say a knowledge of agricultural practice and some familiarity with the point of view of the cultivator would enable them to exercise the necessary restraint with the least friction possible. Last year, when a resolution asking for the appointment of a committee was moved by my hon. Friend Mr. Karant, the Law Member said that the whole forest policy was under consideration. This House would like to know what changes are likely to be made in this policy, and whether any schemes have been before the Government and if so, what they are. I hope and trust that the hon. the Law Member will expedite matters and see that the forest policy is made more liberal so that agricultural interests may not suffer in any way."

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* Mr. J. A. SALDANHA :—" Sir, I beg to support the motion, in order to condemn the forest policy of Government for fostering the growth of dense useless forests, breeding wild animals and malaria and other evils disastrous to cultivators and cultivation. The Forest department, as I have often remarked, is a very extravagant and at the same time a very enigmatic department, and most oppressive as my hon. Friend from Kurnool remarked ; and this is an indictment which was supported, when there was a motion for the appointment of a committee, from all sides of the House. Members coming from all parts of the Presidency and representing several parties have condemned the forest policy, and an appeal was made for the appointment of a committee. I shall not weary the House with details. I am a very warm correspondent on the subject and the arguments and facts need not be reiterated here. But what I would urge is that the hon. the Law Member should listen to the unanimous voice of the House and appoint a committee to investigate all the questions. My hon. Friend Mr. Shetty pointed out, when this committee was proposed, that it might be a joint committee of officials and non-officials. Though he belonged to the Ministerialist party, the Law Member refused even this proposal. He said he would not take it into consideration and rejected it as coming too late. Our expectations are very high of the hon. the Law Member. (Voices : ' Hear, hear.') We thought that, belonging as he does to a forest district like Malabar, he would treat this question with more sympathy, with sympathy for humanity. I was much disappointed. Sir, my indictment will be borne out by my Friends Messrs. Karant and Shetty. I am sure Mr. Schamnad will also bear me out. In South Kanara, it is a battle, a very keen battle between wild jungles and wild beasts on the one side and cultivators and cultivation on the other. The Forest department, under the ægis of the Law Member, is supporting and fostering these wild jungles and wild animals. On the other side, the Revenue department looks askance and never attempts to protect the interests of the poor cultivator, and the cultivated area is shrinking every year. In the correspondence I have had with the Law Member, there is a cold reply from him or his Secretary, practically treating with contempt the charges I have made. I ask the hon. the Law Member to accompany me for a few days in my district and see things for himself and then say whether what I say is true or not. Of course, there will be no triumphal marches (' hear, hear ' and laughter) and there may be danger also from wild beasts (renewed laughter). I once asked jocosely a forest officer how many elephants he was breeding, meaning wild elephants. He did not understand my remark but coolly replied ' nine (tamed) '. I asked him how many wild elephants he was breeding in his forests. He could not answer. I am sure wild elephants have increased a hundred per cent, even more in South Kanara alone during the last ten years. I can show to the hon. the Law Member, if he comes to South Kanara, what havoc is being done by wild beasts. All our cries are unheeded and fall on deaf ears. I hope that at least now the hon. the Law Member will make himself acquainted with the true and sad state of things and try to remedy the grievances of the cultivators There is no use of our asking questions. He must set up an impartial committee to enquire into the matter and send out a questionnaire to people who know the state of affairs in forest areas and then make investigations. By simply sitting in his room, he cannot understand the real grievances of the people. These officials are bent upon a policy of destruction of humanity. All the things that I have stated are facts and can be proved to the hilt. I hope the hon. the Law Member will revise his policy accordingly."

* Mr. MAHMUD SCHAMNAD SAHIB :—"I heartily support what has been said by my Friend Mr. Saldanha. I know how much people in South Kanara are suffering from the present forest policy of Government. First of all, on account of the extension of the forest area in the eastern parts of the district, malaria is increasing year after year. From the census figures taken of the population in these villages, you will see that there is a regular fall in the population of these villages in the last ten or fifteen years.

4-15 p.m. "This shows that the number of people dying from malaria is increasing year by year.

"On account of the proximity of the forest to the cultivated area, the destruction by wild animals is also increasing. Not only are the crops destroyed by these wild animals but also human beings are being destroyed. As pointed out by my hon. Friend Mr. A. B. Shetty, owing to restrictions in giving licences, the wild animals have increased to a very large extent I heard that a rogue elephant destroyed several arecanut plantations and did a lot of mischief otherwise.

"Though some concessions have been made for collecting fuel and dry leaves, the concessions remain a dead letter on account of the rules framed by the Forest department regarding the collection of dry leaves and other things. The forest servants on the least pretext charge innocent people on some alleged forest offences and prosecute them before the magistrates. So these concessions have become practically useless.

"As regards grazing also, the concession is of no use, as has been explained already.

"So I hope the Government will see to it and do the needful in the matter."

* Mr. K. R. KARANT :—"Evidently hon. Members are surprised at the monopoly to speak, so to say, given to the Members from the same district of South Kanara in this matter. Sir, on a question like this, Mr. President, to one coming from a district like mine, it is rather hard to speak with restraint or moderation. It is not simply for the purpose of evoking laughter that we Members from South Kanara are speaking, but our conditions are very peculiar in that our average rainfall is about 150 inches and hon. Members from the other districts may not be able to appreciate the real difficulties to which we are subjected, and I for myself, Sir, have given in these two years a minute consideration to this question. I have gone from village to village. I do not desire to tire the patience of this House with facts and figures, some of which I have given to this House when I moved for the appointment of a committee on the 5th of September last. Therein I have given facts and figures and I am prepared to give to the hon. Member or to any officer of Government more facts on the same question. It is not as an election cry or simply to make an impression in this House that I am speaking with so much feeling in this House.

"Now, it is absolutely necessary to have a committee appointed to consider this question and, if I am not mistaken, the hon. the Law Member said at the time my resolution was passed last year that he was going to appoint a committee. I hope he will do so at once as the feeling on both sides of this House is so strong in this matter.

"The whole question is not one of modification of the forest policy of the Government, but of a wholesale change of it. Because even in the light of

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the recommendation of the Royal Commission on Agriculture and also the evidence given by the late Conservator of Forests, Mr. Tireman, before it, it is found that this Forest department was created about fifty years ago and all sorts of land which were really not fit to be forest land were included in the reserves. The evidence given by Mr Tireman will appear in the volumes of the Evidence of the Royal Commission on Agriculture. He stated that in this Presidency and to a large extent in other Presidencies also, because there was no Agricultural department at that time, lots of land which were not really fit for forests were included and he said a great deal of the expenditure of the Forest department now was due to the fact that unremunerative and useless plots which were not fit for forests were clubbed together and the whole Forest department was made to take charge of these public lands at a time when there was no Agricultural department to take charge of these. Now, Sir, since 1921 we have had the Agricultural department and I am sorry to say that in spite of various motions made in this House the Minister in charge of Agriculture has done nothing in this respect to urge the claims of agriculturists in this matter. It is said in the report of the Royal Commission on Agriculture and it is conceded by Government that forest should be the handmaid of agriculture; but on the other hand if we were to go actually into the figures, we find—I speak with a full knowledge of my district—that agriculture is suffering very badly on account of the reserve forests in the district. I have got figures. In several of the villages, that is those villages bordering on the reserve of our district, in all the interior parts, the population in the 1921 census is distinctly less than the population under the 1911 census. I have got figures which show that in these villages malaria has been growing up by leaps and bounds. To mention only one instance, in 1922 the total number of patients treated for malaria in the dispensaries of our district was about 22,000 In 1927 it was 59,000. That means a rise from 22,000 to 59,000 for the same number of dispensaries. If we were to take the figures for 1900, they will show that there is an abnormal increase of malaria and there is an opinion, medical opinion also, that this has got something to do with the abnormal extension of forests.

"Now, Sir, it may be necessary in dry districts to conserve forests and I am prepared to concede that before the Forest department was brought into existence, in our own district forests were indiscriminately burnt and the department has been gradually conserving them. But I am not prepared to concede that in a district like ours there is any use of excessive conservation at the cost of the ryots In certain villages at the time of the last settlement, that is, in 1901 or 1902, there were 300 acres of wet land—the village is Mundaje in the Puttur taluk—whereas in 1928 there are only 200 acres and the other 100 acres are lying fallow. It is impossible to find labour. I have seen these lands. I am not simply making an allegation which is unfounded. We find the same thing everywhere.

"If we are to take the deaths of cattle, considering the latest figures, we find that about 4,000 heads of cattle have been destroyed by wild beasts. I have seen in a village, half a furlong from the reserve, a tiger has taken away and killed a cow in December last If we take the value of the 4,000 heads of cattle at Rs. 25 (they are worth even Rs. 50 and 100) which are being taken away by tigers, the loss per year comes to about a lakh of rupees. The Forest department in my district is getting a revenue of two lakhs, whereas

the expenditure on the department is Rs. 2½ lakhs. So we are losing half a lakh every year. To add to this we have got the loss to the ryot of at least one lakh of rupees due to the death of cattle every year.

" Now there are various other points in connexion with this and it is impossible for any Chief Conservator or for any Government to satisfactorily revise the policy without taking the public into their confidence, and without consulting non-official opinion on this matter. It is not a question of simply modifying here and there but of a reclassification of most of these forests, retaining only those which are really going to pay. In answer to a question in this House I have been told by the Government that more than 500 acres in my district which are included in this reserve are fit for cultivation. It is to be regretted that the Government have no policy of their own in regard to this.

" It is said no doubt that for Forest Panchayat management some areas have been set apart by the Government. Out of a total extent of about 19,500 acres of forest reserves in this Presidency about 3,500 have been recommended not now but about 1910 or 1912, that is, nearly twenty years ago, to be given over to the Forest Panchayats.

" In view of the recommendations of the Royal Commission on Agriculture, and even in common fairness, I appeal to the Government to consider this question seriously, to see which forest ought to be exploited for the purposes of profit and which conserved for climatic purposes such as rainfall and which of them should be disafforested for grazing purposes and which again for purposes of cultivation.

" I have to mention only one or two points more as I do not desire to take up more time of the House. It is the income from grazing permits. I say that it is not a voluntary affair on the part of the ryots as I had thought it was because I find that it is a regular departmental affair to get the maximum revenue. I find that the people are compelled to take these permits. I know of a case where cattle were taken away by the Forest Guard from the pen and driven to the reserve forest with a view to punish the owner. I have also got other instances. Whatever may be the orders or pious wishes of the Government over here, the underlings of Government make it their business whether a ryot is willing or no, that he should take these grazing permits because he will be taken to task by his superiors.

" There is one other point. That is as regards the classification of trees. To mention one instance, there is the nux vomica tree in my district which is very badly needed for the preparation of ploughs and such other things. It is a great necessity for the agriculturists. The revenue got on these trees is little. I appeal to the Government to make this tree non-reserved or non-classified.

" Before I conclude, Sir, I would appeal to the Government not merely to revise their policy but to appoint a committee consisting of non-official members or a mixed committee with officials, because they may be able to give us all the information and necessary help, so that the whole question may be looked into not from the departmental point of view but from the point of view of the Department of Agriculture and that of the agriculturist and that the whole matter may be considered by a thorough inquiry and investigation. The report of the Committee can be modified if the Government deem it necessary. Sir, I have done."

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4-30 p.m.

* Mr. V. I. Muniswami Pillai :—" Mr. President, Sir, during the general discussion last year and again when this demand was being voted upon, I brought to the notice of the Government the various grievances of the depressed classes hoping that the Government would formulate a liberal policy to afford facilities to the members of the depressed classes. But, Sir, I find that very little has been done to afford facilities for the depressed classes. Sir, it is the poverty-stricken condition of the depressed classes that prompts me to bring again to the notice of the Government the various disabilities of these toiling masses. I request the Government to liberally help the depressed classes in the administration of the forests.

" Sir, the depressed class people generally earn their livelihood by carrying fuel from the forests to the neighbouring villages and earning a few annas. I find that these people on many occasions are driven to the necessity of waiting long hours at the forest rangers' offices for permits to enable them to carry fuel from the forests. The officers themselves are at times inaccessible to these people. This is one of the grievances brought to my notice by the depressed class people of North Arcot district.

" Sir, some years ago, I was given to understand that the depressed classes were being given timber, free, for building purposes. I understand that recently that concession has been withdrawn and consequently they feel it very much. I am sure, the hon. the Law Member who is really sympathetic to the depressed classes will at least now revise this order and restore this concession which they were having for a long time.

" Another of their grievances is that connected with the recently started co-operative building societies. If they are allowed some concession to get timber from the forests they will be able to put up more buildings for their habitation. I request that this may be done.

" My hon. Friend Mr. Harisarvottama Rao has already pointed out to this House the difficulties felt by the depressed classes in getting lands in the forest areas. I know that in the districts most of the lands reserved for depressed classes are not fit for use. The Government should at least now open their eyes and reserve for the use of the depressed classes lands in the fertile parts of the forests so that they may be really of use to them. I am sure the hon. the Law Member will give this matter his consideration and do something for these people."

Sriman Biswanath Das Mahasayo :—" Sir, I am very happy to associate myself with all that has been said against the forest policy of the Government. We have several times requested the Government and specially insisted on the Law Member to appoint a committee to look into the forest grievances of the people of this Presidency. My hon. Friend from South Kanara moved a resolution on this matter and it was carried by the House. That resolution was thrown by the Government into the waste-paper basket.

" Sir, the forest grievances in the Presidency could be classified under two heads : those that relate to the ryotwari forests and those that relate to the zamindari areas. My hon. Friends have devoted a considerable portion of their time on the forest policy of the Government regarding the ryotwari forests. I propose to say something about the forest policy of the Government in extending the operation of the Forest Act in the Proprietary forests. Sir, I am glad that after a good deal of agitation both in and outside the

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Council, the Government have decided no more to extend the Forest Act to any proprietary estates. But the misfortune of the ryots in such of the estates which already had the application of the Act knows no bounds. The Forest Act confers on the proprietor very important and summary powers. Generally the powers of the forest officer are conferred on the zamindars and the officials of the zamindars. These gentlemen use these powers as handy weapons in their hands to oppress the ryots and very often for purposes of rack-renting and terrorising them. These proprietary forests to which the Madras Forest Act has been extended are not properly marked out and even public paths and grazing areas are included. Even small hillocks and waste lands which were being used for grazing are included within the reserved forest area with the result that the ryots are left entirely at the mercy of the forest officials who have very often not a good word for them. This not only leads to oppression by the zamindars and their officials but also to a lot of corruption especially as the forest officers of these proprietors are low-paid men recruited without any regard to their character or status in life. Under these circumstances it is high time that an enquiry is instituted into the working of the forest rules in such of the estates as have the Forest Act applied to them.

"Sir, I have got with me depositions which have been given by estate officials in Courts of law to the effect that they have been collecting forest taxes from unreserved areas though under rule 5 of the said rules, the zamindars and their officials are prohibited from collecting such dues. I have put many interpellations on this subject but nothing has been done. The scheduled fee in the rules is rarely followed and compounding fees are collected as they like without proper receipts being given. Under the circumstances I implore the hon. the Law Member to see that an enquiry is made and the grievances of the zamindari ryots are redressed.

"I come to the ryotwari forests. Sir, a charge has been levelled against the forest administration that the department is top-heavy. In dealing with this question on the 17th March 1917 Mr. Tireman who was then the Chief Conservator of Forests said that there would be a saving of at least three lakhs owing to reduction of staff on account of the organization of forest panchayats. But the budget showed no signs of reduction in expenditure. Hon. members even then foresaw that this so-called retrenchment would end in the creation of posts, Imperial and Provincial. That is what we find in the budget estimates of this year.

"Sir, provinces other than ours which have practically the same extent of forests have been spending much less than what we are spending. In Central Provinces they have got practically the same extent of forests as we have got, viz., 19,000 square miles, but that Government not only spends less on the administration but also gets more income. I will refer hon. Members to the income derived by the Government of the Central Provinces in 1921-22 and 1926-27. While that Government with about the same forest area to administer get Rs. 41·3 lakhs in 1921-22 and Rs. 53·2 lakhs in 1926-27, the Madras Government got only Rs. 48·7 lakhs in 1921-22 and Rs. 56·2 lakhs in 1926-27. Here the revenue is comparatively low and the administration is oppressive in the sense that timber and fuel collected by the Madras Forest Department is only $2\frac{1}{2}$ crores of cubic feet whereas timber collected by that Government comes to $3\frac{1}{3}$ crores. They get also from minor produce much more than what our forest department is

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able to realize. They get 29 lakhs whereas our Government gets only 19 lakhs from minor produce. Then, Sir, more consideration is shown by the Central Provinces Government in allowing grazing facilities to the ryots. This can be seen from the fact that two and a half lakhs of cattle are allowed free of charge for grazing by that Government whereas our Government allows only 82,000 cattle. Similarly, while 13 lakhs of cattle are allowed by the Government of Madras into the forests for grazing, the Central Provinces Government allows 33 lakhs. Similar is the case with Burma also where the Government have to administer a large area of forests. They have to administer about three times more forest area than Madras and yet they spend proportionately much less.

" Referring to the forest administration of Bombay to which Mr. Tireman made a pointed reference on a former occasion, I may add that the administration of the department in Bombay is more popular, much more economical and remunerative than that of Madras. So, judging from the administration of forests in other provinces in India, we find that the administration of forests is not only expensive, uneconomic but also ruinous to the best interests of the ryots.

" Sir, I must, before I resume my seat, mention one thing. I wish to say that the department is corrupt in its administration. The strict laws and unsympathetic administration leave ample scope for corruption of the smaller officials in the Presidency. Speaking of my district I have to say that from the forest guard up to the people in the Provincial cadre you will find few officials above corruption. Sir, the rigorous manner administered by an irresponsible set of people without understanding the language, manners and customs of the people make their lot a hot bed of misery. Sir, the Royal Commission on Agriculture has made definite recommendations regarding the forest policy of the Government. The Madras Government have allotted a large sum for increasing the expenditure in the Agricultural Department. I would implore the hon. the Leader of the House who control the policy of the Government of Madras including the Forest Department to realize that all the money proposed to be spent on the Agricultural Department will be a waste if the forest policy of the Government is not put on a sound and proper basis so as to adjust to the just requirements of the people in the districts.

" Sir, we have often urged upon the Government the necessity for keeping the reserved forest areas far away from the villages, but nothing has been done.

" Speaking of my district, the matter was many times brought to the notice of the hon. Member in charge of Forests. There are villages very close to the reserved area and the result is that these unfortunate people have been subject not only to constant harrassment of the various forest officials including the Ranger and the guards but also to the ravages of wild beasts. They have to lose their crops, their cattle and their very lives also. What is the benefit of conducting enquiries through Royal Commissions when you cannot render this small help to the ryot by saving his life and his cattle from the ravages of wild beasts from forests kept close to his village. This is simply adding to the difficulties of the ryots and the House will have no option but to vote for this motion by disapproving the forest policy of the Government in the hands of Indians on the Treasury Bench. With these few words, I very heartily support the motion."

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The hon. Sir NORMAN MARJORIBANKS :—"I only wish to say a few words on the subject of forest panchayats and regarding them I am only referring to those panchayats which have been placed in charge of reserved forests, not of class III forests which have been removed from the Forest Department. I have no reason to speak for other classes of reserved forests. That matter is in abler hands than mine. In regard to forest panchayats—I mean the village panchayats—Government agree that they are not working satisfactorily and that is why they (Government) have been examining it with the object of putting it on a clearer and understandable basis. There are three main points connected with this matter. The Government wanted to transfer these forests from the Forest Department to the forest panchayats not because there would be improvement in the matter of the ryots being tyrannized by the forest officials, but because the Government wanted that these forests should be managed by panchayats subject to minimum interference from the Government. That has not been carried out. That is a matter to which the Government is bestowing their attention. There are matters in which the Government insist upon forest panchayats to carry out their (the Government's) orders such as those relating to goat browsing, etc. The other point is that the grazing permits issued by the panchayats should be limited. There is the possibility of reserved forests being used for cow grazing. There should be no objection to that except that the panchayats will point out that the rate they will be asked to pay by the Government are too high. That is a point that will have to be looked into. This House will be asked to pay us a large sum of money and the concerned forest panchayats will have to be charged for that. We want to limit the sum which these forest panchayats should spend. The policy of the Government is that they should not pay more than what they get by way of revenue.

"The last point is that Government are keen that this green manure should not be cut from reserved forests. On that point the panchayats have not made serious objection. It is of course necessary that they should not every time cut the same part of trees for green manure.

"Subject to these restrictions the Government are anxious to give the panchayats freedom as much as possible. The point is whether the panchayats should get penning fees each time. That depends upon the calculation on which the original sum was fixed. These are all matters which are receiving our best attention."

* The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"Some of my hon. Friends on the other side referred to the question of exploitation of the forests and the utilization of forest produce. As a matter of fact, as my hon. Friends are aware, the policy of the Government in working these forests is to exploit them in such a way as to obtain the largest revenue consistently of course with the conservation of forests which in the interests of the people is highly necessary. Particularly since the war, a policy of intensive exploitation of heavy timber area has been undertaken and a separate section has been formed to deal with timber exploitation on a large scale. For instance, there are some areas which are already treated as definite units of exploitation, namely, Nilambur, Mount Stuart, Chenat Nayar and others. There are also other areas which are similarly being dealt with. For instance, we are dealing with the forests in Amarampalam and we have also for this purpose installed Saw Mills in Beypore, Parappa and other places. All these have

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been started with the express purpose of increasing the revenue. The department of course at the commencement does require considerable capital and some time will be necessary to show how these installations work. A great deal has been said by many of my friends about the questionnaire issued to the head of the department the Chief Conservator of Forests. I referred to this questionnaire in the course of a discussion that took place on a former occasion and in answer to several questions that were put to me. That questionnaire has not been issued to any irresponsible person. It has been issued to the Chief Conservator of Forests. The questionnaire is one which deals minutely with the working of the department in its various aspects. Government expect to receive the answer to this questionnaire in one or two months and after the answers to this questionnaire have been received and after the Government are put in possession of the necessary materials, the whole policy, as has been referred to on the floor of this House many times, will be considered and conclusions arrived at. My friends in this Council know already that a large area has been transferred to the ryots' panchayats. I am speaking in round numbers, out of about 20,000 or 19,000 square miles, between 3 and 4,000 square miles of forests have been already handed over to the management of the forest panchayats.

"I may say generally that all the points referred to by my hon. Friends in this House have been noted by me and they will be carefully looked into.

"With reference to the forest utilization which comes more or less under the policy of exploitation works, my friends have condemned it. As a matter of fact, a reference to the figures shows that this Utilization department has been working very well. For instance, with reference to the sales effected by this department in 1925–26 their value came to about Rs. $3\frac{1}{2}$ lakhs; next year, 1926–27, it came to Rs. $9\frac{1}{4}$ akhs; in 1927–28, it came to about $12\frac{1}{4}$ lakhs; and further increase is expected in the year that is about to close, i.e., 1928–29. I may also state that this question along with other connected questions was being looked into by myself and by my hon. Colleague the Finance Member, and the Chief Conservator of Forests, and the Chief Engineer recently. Government will examine the whole question relating to this again. (Cries of 'What about the appointment of a committee?')

"I am coming to that. Government have not finally come to any conclusion as to whether a committee should be appointed. Even at the time when the resolution relating to this committee was being discussed on the floor of this House, I said that the whole forest policy was under consideration of the Government and I repeat that statement now. There is another difficulty with reference to the appointment of a committee. Practically there are no questions which are common to all districts. In any case, as I have said, the Government have not come to any conclusion on this question of appointment of a committee.

"My hon. Friends on the other side have referred to various forest grievances. One is the grievance of the ryots relating to grazing. With reference to this, I may state that the concession of taking a grazing permit which till now was valid only for one block, has been recently made valid for the whole range by Government.

"South Kanara has really loomed very large in this debate. With reference to the statement relating to the ravages by wild animals, I may state on the floor of this House . . ."

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* The hon. the PRESIDENT :—" As it has been agreed between the Leader of the House and the Leader of the Opposition that this demand should be disposed of to-day, the discussion will now continue."

* The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I may state that licences for hunting wild animals in the reserves from July to January have been given. (Voices : To whom ?) 'To all the people.'

" Mr. Saldanha referred to the prevalence of malaria and the increase of wild animals. As a matter of fact, with reference to the prevalence of malaria, I may tell my hon. Friend that malaria is due not so much to the presence of these jungles, as to the existence of marshy or swampy grounds. However, the Government have issued orders for clearing the undergrowth in the forests to about 200 yards near the sea coast and to about half a mile in other places. This, I am sure, will go a great way to the mitigation of the evil arising from the prevalence of malaria. I hope that this will have some effect.

" Then my hon. Friends referred to grazing grounds. Since 1928, a large extent of grazing ground in the Nallamalais has been thrown open for grazing at the ordinary rates. Though it is a very good ground for grazing, the Government have not levied any additional fee.

" Then with reference to Kurnool to which special reference was made by my hon. Friend, Mr. Harisarvottama Rao, it is one of those districts which are treated with particular favour by the Government. As a matter of fact, quite recently the Government appointed a committee ; the committee submitted its report and the Government have passed orders thereon by which many grievances of the Kurnool ryots have been redressed. (Mr. G. Harisarvottama Rao : None of the grievances have been redressed.)

" Another grievance that has been referred to on the floor of the House this afternoon is the danger arising from the existence of reserved forests in the vicinity of inhabited villages or cultivated lands. I may tell my hon. Friend that the Government have done a great deal in this direction. As a matter of fact, the Government have disafforested about 4,600 acres because they were in the vicinity of inhabited villages or cultivated lands. Of course, if instances of real hardship are brought to the notice of the Government, I may tell my hon. Friends that the Government are ready to look into those matters and redress them wherever it is possible.

" Then reference was made to the difficulty of getting fuel. As I have already stated, most of these small forests where fuel or small timber can be had are, as a matter of fact, at the disposal of Forest panchayats so that the remedy lies in the hands of the people themselves. So far as the forests under departmental control are concerned, they are worked economically for fuel and definite working schemes with reference to fuel have been framed and worked by the Government. The Government have already issued orders in this matter that the contractors should sell fuel at standard rates. I may tell my hon. Friends that the revision of this standard rate is also under the consideration of the Government.

" My hon. Friend, Mr. Harisarvottama Rao, referred to the Bill that he has sent up to the Government. He said that his Bill required the sanction of His Excellency the Governor and His Excellency the Viceroy. I may tell my hon. Friend that that Bill is under the consideration of the Government. My hon. Friend, as well as other hon. Members of this House, know that

these things cannot be done in one or two days. Naturally they will take time. Different persons will have to be consulted with regard to details. My hon. Friend will receive a reply in course of time with reference to his Bill.

"My hon. Friend, Mr. Karant, and another hon. Friend, I think Mr. Biswanath Das, referred to corruption prevailling among the forest subordinates. I am not prepared to deny that there is corruption and say that all of them are paragons of virtue. If my hon. Friend will bring any specific instances of real corruption to the notice of Government, certainly they will look into the matter. It is not possible to take any action on the vague allegations made by my hon. Friend. I may inform my hon. Friend, Mr. Karant, that I have already asked the Conservator of Forests to send a report on this matter.

"Then reference was made by my hon. Friend, I believe, Mr. Hari-sarvottama Rao, to the levy of penning fees in the Kurnool district. He must know that it is not charged for all cattle. It is charged only in respect of what may be called 'foreign' cattle, i.e., cattle belonging to other people and not in respect of local cattle. It is intended really for conserving the benefit of grazing available in particularly good areas to cattle in such areas. It is not at all an inconvenience to the people.

"Then reference was made to the difficulty of getting agricultural implements. The system that is now adopted with reference to supplying agricultural implements to the ryots is to supply them through contractors at fixed rates and experience has proved that this is the best method . . ."

Mr. S. SATYAMURTI :—"On a point of order, Sir. May I know what the paper is from which the hon. Member is reading? Prepared by the office?"

* The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"Do my hon. Friends want me to go and visit all these places?

"These are the main points referred to by my hon. Friends. As I said, there are other grievances; I have made note of all the other grievances and I shall carefully look into them."

* Mr. C. V. VENKATARAMANA AYYANGAR :—"Sir, as there is only a short time more for the grant to be put, I shall just refer to one or two points referred to by the hon. the Law Member. We must express the regret of this side of the House and probably of the whole House that the reasons given by the hon. the Law Member—he thinks they are very good reasons for not appointing a Forest Committee and for still considering over the question—are not convincing. One of the reasons, he gave, was that the grievances were not common to all the districts. I must certainly differ from him on that point. We know that, from the year 1920, a number of resolutions have been moved and accepted practically by all Members of this House on this matter. To say now that the grievances are not common to all the districts and that, therefore, there is no use of appointing a committee is, I am afraid, not right. He was himself a member of the Forest Advisory Committee for six years and I am sure that he did a lot of work and a number of committees were appointed to redress the grievances of various districts in view of resolutions passed in this Council including the committees appointed for the Coimbatore and Kurnool districts. There is no doubt that these committees did a great deal

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of good to the people. Therefore there is no doubt whatever that, if a committee is appointed to go into the whole question, it will be doing good to the country.

"I wish to know what the hon. Law Member means by saying that he has issued the questionnaire to the Chief Conservator of Forests. This is the first time when I hear from the hon. Member in charge of a big department that the questionnaire has been sent by the Government to the head of the department only. It is the head of the department who should prepare the questionnaire and it should be sent to leading people in the country. I must at least now request the hon. the Law Member to publish that questionnaire and to send copies of the questionnaire to some leading officials and non-officials.

"So far as the question of Indianization is concerned, Sir, I know the then Chief Conservator of Forests, Mr. Cox, did make some proposals. I want to know where that report has gone. If the report is published by my hon. Friend, a good deal would be gained.

"Much has been said by the hon. the Law Member regarding the development of forests. For the last nine years, developments have been going on and the sale has gone up. From the figures given by the hon. the Law Member it is seen that from 3 lakhs the sale has gone up to 9 or 10 lakhs. But what is the result? Out of this 3 lakhs or 10 lakhs, what is the profit? Most of this sum of money went to the officers at the top. My suggestion and that of my hon. Friends has been that this department should be made a profitable concern. That can be made only if there is retrenchment in the salaries. I think that this has been one of the cries in the wilderness. As far as the Forest Department is concerned, we can certainly have Indian officers, Sir, without any trouble.

"One of my hon. Friends referred to Extra Assistant Conservators of Forests. He thought probably that some of these people were entertained additionally. It is only a matter of designation. All Assistant Conservators belonging to the Imperial Service are called Assistant Conservators and all those belonging to the Provincial Service are called Extra Assistant Conservators. There are no extra people at all. We can easily do away with the difference between the Assistant Conservators and Extra Assistant Conservators and call them all Assistant Conservators. It has been over and over again admitted by the heads of Government departments themselves that the Indian officers in this department have been true and faithful and that they have been doing their work satisfactorily in every way possible. There is absolutely no reason whatever for importing a large number of European officers on contract service. It is one of the important things which people expect the Government that all these contract and special services should cease.

"I may request my hon. Friend to visit some forests. He can easily do it. He may go to Cochin, and see the forests there. With 700 square miles of forest in that State they are doing a lot of work. He will get a good deal of information there. I request him to visit the forests of the neighbouring province of Mysore. The hardships and inconveniences felt by the people here are not felt at all in the Mysore province.

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"I wish to refer to only one point more. Though I myself am interested in coffee and tea estates, great havoc is done by a few coffee planters taking the sources of rivers on darkhast for plantation scheme. I brought to the notice of the hon. the Home Member who was then in charge of forests one or two cases and he refused those applications. I know that, in Nilgiris and Kollegal taluk, applications are made over and over again for the same plots though they have once been refused. I hope that the Government will take care to see that none of the sources of rivers is not handed over to these plantation purposes on darkhast at any time. There is no use of the hon. Member saying that he will consider all these questions. He will be doing much good if he would publish the questionnaire and take us into his confidence."

* The hon. the PRESIDENT :—"The question is 'to reduce the allotment of Rs. 37,53,200 for Forests by Rs. 100'."

The motion was put to the House and declared lost.

A poll was demanded and the House divided as follows.

Mr. G. Harisarvottama Rao demanded a poll and the House divided thus :—

Ayes.

1. Mr. A B. Shetty.
2. ,, W. P. A. Soundara Pandia Nadar.
3. ,, P. C. Venkatapati Raju.
4. ,, R. Srinivasa Ayyangar.
5. ,, Sami Venkatachalam Chetti.
6. ,, S. Satyamurti.
7. ,, C. V. Venkataramana Ayyangar.
8. ,, J. A. Saldanha.
9. ,, G. Harisarvottama Rao.
10. ,, Basheer Ahmed Sayeed.
11. ,, C. S. Govindaraja Mudaliyar.
12. ,, Abdul Hameed Khan.
13. * ,, K. V. R. Swami.
14. ,, D. Narayana Raju.
15. Dr. B. S. Mallayya.
16. Mr. K. R. Karant.
17. ,, K. Madhavan Nayar.
18. ,, P. Anjaneyulu.
19. ,, A. Parasurama Rao.
20. ,, *C. Ramasomayajulu.
21. Mr. T. Adinarayana Chettiyar.
22. ,, P. Bhaktavatsulu Nayudu.
23. Sriman Biswanath Das Mahasayo.
24. Mr. A. Kaleswara Rao.
25. ,, M. Narayana Rao.
26. ,, C. N. Muthuranga Mudaliyar.
27. ,, C. Venkatarangam Nayudu.
28. ,, S. Sivasubrahmanya Ayyar.
29. ,, A. Ranganatha Mudaliyar.
30. Diwan Bahadur R. N. Arogyaswami Mudaliyar.
31. Mr. K. P. Raman Menon.
32. The Zamindar of Gollapalli.
33. Mr. T. C. Srinivasa Ayyangar.
34. ,, R. Nagan Gowda.
35. Rao Bahadur S. Ellappa Chettiyar.
36. Diwan Bahadur S. Kumaraswami Reddiyar.
37. Rao Bahadur K. Sitarama Reddiyar.
38. Rao Bahadur B. Muniswami Nayudu.

Noes.

1. The hon. Sir Norman Marjoribanks.
2. ,, Khan Bahadur Sir Muhammad Usman Sahib Bahadur.
3. ,, Mr. T. E. Moir.
4. ,, Diwan Bahadur M. Krishnan Nayar.
5. ,, Mr. M. R. Seturatnam Ayyar.
6. *,, Mr. S. Muthiah Mudaliyar.
7. ,, Dr. P. Subbarayan.
8. Mr. Hilton Brown.
9. ,, H. A. Watson.
10. ,, C. A. Souter.
11. ,, S. H. Slater.
12. ,, A. McG. C. Tampoe.
13. ,, C. W. E. Cotton
14. ,, V. Ch. John.
15. ,, Tajuddin Sahib.
16. ,, J. Bheemayya.
17. ,, J. A. Davis.
18. Mr. R. Foulkes.
19. Zamindar of Singampatti.
20. Subadar-Major S. A. Nanjappah Bahadur.
21. Rao Bahadur C. M. Narayanan Nambudripad.
22. Mr. K. Krishnan.
23. ,, N. Siva Raj.
24. Rao Sahib L. C. Guruswami.
25. Mr. V. I. Muniswami.
26. ,, S. Subrahmanya Moopanar.
27. ,, S. Venkaiah.
28. Rao Sahib R. Srinivasan.
29. Mr. C. E. Wood.
30. ,, F. E. James.
31. Swami A. S. Sahajanandam.
32. Khan Bahadur Abdul Razack Sahib Bahadur.
33. Khan Sahib T. M. Moidoo Sahib.

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Neutral.

1. Mr. M. A. Manikkavelu Nayakar.
2. Mahmud Schamnad Sahib.
3. Mr. Ramachandra Padayachi.

Ayes 38. Noes 33. Neutral 3.

The motion was carried.

The question that Government be granted a sum not exceeding 41·33 lakhs minus Rs. 100 under Demand IV—Forests, was then put and adopted and the grant made.

The House then adjourned to meet again at 11 a.m. the next day.

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

